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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Second periodic reports submitted by States parties under articles 16 and 17 of the Covenant

Addendum

REPUBLIC OF KOREA *

[1 July 1999]

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*/ The initial report concerning rights covered by articles 1 to 15 (E/1990/5/Add.19) submitted by the Government of the Republic of Korea was considered by the Committee on Economic, Social and Cultural Rights in 1995 (see E/C.12/1995/SR.3, 4, 6).

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Introduction

1. On 10 April 1990, the Republic of Korea acceded to the International Covenant on Economic, Social and Cultural Rights (hereafter "the Covenant"). The Covenant became effective for Korea on 10 July 1990.

2. Since the submission of the initial report, the Republic of Korea has carried out a variety of changes and reforms to protect and promote human rights. Legal and institutional policies to promote human rights, among others, have provided for stringent rules governing detention, amended labour-concerned Acts to conform to the international standard and expanded legal assistance for the underprivileged. During the past few years, continued efforts have been made to build a more democratic society that is committed to justice and respect for human rights. They include: extension of the welfare entitlements for women and the handicapped; reform of the Nationality Act to make the acquisition of nationality easier; better promotion of democracy through the extensive application of the principle of local autonomy; and the introduction of the Real-Name System in the financial and real estate sectors for the enhancement of economic fairness. However, more remains to be done to ensure the full enjoyment of human rights, and the Republic of Korea is striving continuously to improve the situation. The new Government, which was inaugurated on 25 February 1998 after the first peaceful transition of political power since the establishment of the Republic, is dedicated to strengthening the protection of human rights through the simultaneous pursuit of democracy and a market economy.

3. This second periodic report, taking into account the Guidelines regarding the form and content of periodic reports from States parties and the Committee's discussions on the initial report, describes the measures that Korea has taken to implement the Covenant in the five years following the initial report's submission as well as the subsequent progress and development.

I. GENERAL COMMENTS

4. The system for protecting and promoting human rights in the Republic of Korea is explained in the second periodic report on the International Covenant on Civil and Political Rights (CCPR/C/114/Add.1). In summary, the Republic of Korea is a democratic republic that is governed under a presidential system based on the principle of checks and balances. Sovereignty rests with the people. The National Assembly, the Administration and the Court are vested with legislative, executive and judicial powers respectively. The Government strives to provide full protection of basic human rights for all citizens, to observe international treaties, and to preserve the peace of international society.

5. The competent authorities for matters of human rights are detailed in the initial report on the International Covenant on Civil and Political Rights (CCPR/C/68/Add.12) and the initial report on the Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment (CAT/C/32/Add.1). The procedures for ensuring against violations of human rights are detailed in the initial report on the present Covenant. In summary, the courts are vested with judicial powers, the Constitutional Court rules on infringements of constitutional rights by the exercise or non-exercise of public powers. The Government is operating legal-aid programmes to provide assistance for the underprivileged. The services include free legal consultations, assistance with litigation costs, free procuration and defence for the accused. The National

Assembly, non-governmental human rights organizations and the media carry out the role of guardians of human rights. In addition, the Government is planning to establish a "National Human Rights Commission" to better protect and promote human rights.

6. The initial report on the Covenant has been widely distributed to the authorities and bodies concerned. This publication was followed by the publication and distribution of the comments of the Committee on Economic, Social and Cultural Rights on the initial report. Also, the comments was taken into consideration in the establishment of policy by the authorities concerned. The subject of "International Human Rights Law" was included as part of the 1997 curriculum at the Judicial Research and Training Institute, where public prosecutor and judiciary candidates are trained for a period of two years before receiving their lawyer's licence and appointed as public prosecutors or judges. Lectures have been offered on the main features of the Covenant as well as on remedies for individuals whose rights were infringed.

7. A thorough description of the general economic, social and cultural situation in the Republic of Korea can be found in the initial report on the International Covenant on Civil and Political Rights. More detailed information is included in the relevant paragraphs of this report.

8. Article 1 of the Covenant, which recognizes the right to self-determination, is addressed in detail in the Republic of Korea's initial report on the International Covenant on Civil and Political Rights.

9. Information concerning the application of articles 2 and 3 of the Covenant is described in detail in the relevant parts of the initial report, the second periodic report on the International Covenant on Civil and Political Rights and the relevant paragraphs of this report.

10. The Government has been exerting great efforts to realize the ideals of gender equality set forth in article 3 of the Covenant, and the present situation is addressed in detail in the initial report and the second periodic report on the International Covenant on Civil and Political Rights.

11. With regard to articles 4 and 5 of the Covenant, which provide for limitations of rights under the Covenant, the Korean Government does not interpret these provisions so as to infringe upon, in any manner, the rights and freedoms recognized under the Covenant, or to limit liberties beyond the limitations specifically established by the relevant articles, as was indicated in the initial report and the second periodic report on the International Covenant on Civil and Political Rights.

II. INFORMATION ON SPECIFIC ARTICLES OF THE CONVENTION

Article 6. The rights to work

1. Guarantee of the right to work

12. The Constitution of Korea establishes and protects the doctrines of human dignity and value (art. 10), equality before the law (art. 11), freedom of vocational choice (art. 15) and the right to decent living conditions (art. 34). Also, article 32 guarantees the right to work and the duty of the State to

protect and ensure this right, declaring that "Every person has a right to work" and that the "State shall endeavour to promote workers' employment, guarantee reasonable wages with social and economic measures, and enforce the minimum wage system as provided by law" (para. 1). "The labour standards shall be provided by law to guarantee human dignity" (para. 3). To realize these constitutional ideals, the Korean Government is implementing aggressive employment policie to guarantee productive employment as well as overall measures to protect labour conditions and enhance workers' welfare.

2. The labour market

13. In the early 1990s, the employment environment in the labour market changed rapidly due to a high degree of specialization of industrial structures, automation of production facilities and domestic business fluctuations. In terms of the labour supply side, there were demographic changes in the population, such as the slowdown in the growth rate of the economically active population and an aging society. Furthermore, people began to avoid doing the so-called "3D work" (dangerous, difficult, dirty) which was a trend attributable to a generally higher level of education and an improvement of their living standards. Other changes were rapidly occurring, such as : factory shutdown/closure due to structural adjustment of industries, reduction of workforce demand owing to progression of automation, and increase of demand for a workforce with special and advanced technology attributable to a high degree of specialization of the industrial structure.

14. During the early 1990s, the decrease in the economic growth rate led to an increase in unemployment. But the situation had improved in 1995 and 1996 and an unemployment rate of 2.0 per cent was maintained, which led to secure employment. The economically active population and the participation rate in economic activities were increasing steadily, especially with the entrance of female workers into the labour market. New female labour led to a continuous increase in women's participation rate in economic activity.

Table 1: Employment trend

(Unit : 1,000 persons, %)

Classification	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*
EAP	19 048 (2.7)	19 426 (2.9)	19 803 (1.9)	20 326 (2.6)	20 797 (2.3)	21 188 (1.9)	21 604 (2.0)
EAPR - Males - Females	60.6 74.7 47.3	60.0 75.3 47.3	61.1 76.0 47.2	61.7 76.4 47.9	62.0 76.5 48.5	62.0 76.1 48.7	62.2 75.6 49.5
Employed people	18 612 (2.9)	18 095 (3.0)	19 253 (2.8)	19 873 (3.0)	20 377 (2.7)	20 764 (1.9)	21 048 (1.9)
Unemployment rate	2.3	2.4	2.8	2.4	2.0	2.0	2.6

Note: The numbers in parentheses show the percentage increase compared with the same period of the previous year.

Source: National Statistical Office, "Annual report on the economically active population".

EAP: Economically Active Population.

EAPR: Economic Activity Participation Rate.

15. Currently, Korea uses the ILO method to calculate the unemployment rate (i.e. workers are asked whether they were actively engaged in finding jobs for the previous week). However, with its accession to the OECD in December 1996, Korea is planning to calculate the unemployment rate using a four-week standard instead of the previous one-week period, which is the method adopted by most of the OECD States.

16. Since 1991, the number of workers engaged in agriculture, forestry and fishery has decreased steadily. And in the manufacturing industry, which has experienced stable growth so far, the number of the workers is declining in spite of stabilization of the overall employment situation in labour market, although the number of workers increased a bit in 1994 and 1995 compared with the previous year. The number of workers in the field of Social Overhead Cost (SOC) and service businesses is increasing continuously. The ratio of permanent jobs vis-à-vis temporary jobs is decreasing.

Table 2: Employment trends, by industry

(unit: 1,000 persons, %)

Industry\ year	*Agriculture Forestry Fisheries*	*Mining & Manufacturing*		*SOC and other service industries*				
		Mining	*Manufacturing*	*Total*	*Construction*	*Wholesales, Retailing, Hotels, Restaurants*	*Banking, Transportation Worehouses, Electricity*	*Private Services*
1992	2 991 (-2.4)	4 891 (-3.4)	4 828 (-3.3)	11 079 (5.6)	1 658 (5.6)	4 419 (8.1)	1 638 (8.0)	3 364 (0.9)
1993	2 828 (-5.4)	4 704 (-3.8)	4 652 (-3.6)	11 721 (5.8)	1 685 (1.6)	4 848 (9.5)	1 711 (4.5)	3 488 (3.7)
1994	2 699 (-4.6)	4 735 (0.7)	4 695 (0.9)	12 403 (5.8)	1 777 (5.5)	5 198 (7.4)	1 761 (2.9)	3 667 (5.1)
1995	2 541 (-5.9)	4 799 (1.4)	4 733 (1.7)	13 037 (5.1)	1 896 (6.7)	5 358 (3.1)	1 857 (5.5)	3 926 (7.1)
1996	2 405 (-5.4)	4 701 (-2.0)	4 677 (-2.0)	13 657 (4.8)	1 968 (3.8)	5 628 (5.0)	1 927 (3.8)	4 135 (5.3)
1997	2 324 (-5.4)	4 501 (-4.3)	4 475 (-4.3)	14 223 (4.1)	2 004 (1.8)	5 799 (3.0)	2 002 (3.9)	4 419 (6.9)

Note: The figures in parentheses represent rates of change from the previous year.

Source: National Statistical Office, "Annual report on the economically active population".

3. Employment policy

(a) Introduction of new legislation for employment policy

17. The Government enacted the "Basic Employment Policy Act" in December 1993. This act prescribes that the State shall draw up basic plans for employment policy and establish comprehensive employment policy measures aimed at developing workers' vocational abilities and promoting employability. It also sets out the basic course and means for the national policies of stabilizing employment by raising effectiveness in the labour market and balancing the demand for and supply of the workforce.

18. The Employment Insurance System, which was introduced in accordance with the Employment Insurance Act (Dec. 1993), has been in place since July 1995. This system is designed to provide unemployed workers with unemployment benefits to stabilize their living, provide job placement services to promote employment and re-employment, and support the development of workers' vocational ability. This system has laid the groundwork for policy responses to structural unemployment caused by industrial restructuring and active labour-market policy measures. With the introduction of this system, Korea now has four major social insurance systems, the other three of which are industrial accident compensation insurance, health insurance and national pension.

19. In December 1996, the "Act concerning Improved Employment of Construction Workers" was enacted. This act introduced the retirement provident society system for construction workers who represent a high proportion of the manual workforce but have generally been poorly protected by governmental policy due to their high mobility and tendency of being hired on a daily basis. Consequently, the act formed a basis for employment stabilization, vocational development and workers' welfare promotion.

(b) Job placement and vocational guidance

20. National-level employment services are being provided at 53 organizations: 46 local labour offices and 7 manpower banks. Manpower banks have been set up and independent vocational counsellors hired in order to remove inefficiency in employment services and offer more systematic job placement services. These national-level employment service agencies are closely linked to other public employment agencies, including employment information centres and job information offices under local governments.

21. The Central Employment Information Office (CEIO) publishes the "Weekly Wide-Area Job Information" and gives it out free of charge to provide needed information on job vacancies and the labour market for job seekers and job providers. In addition, local labour offices offer weekly free-of-charge publications to provide job information in 21 fields and run a round-the-clock audio response system (ARS) to give job seekers information on job vacancies. In 1996, the number of ARS users totaled 348,306, which means that an average of 954 calls were made every day. Since 1997, a more advanced ARS service has been provided by six regional labour administrations, including the Seoul Administration, so that callers can narrow down the scope of information by selecting the terms and conditions of employment. In addition, job offers and application registration, job information, vocational aptitude testing and other

relevant job services are offered through the Ministry of Labour (MOL) homepage on the Internet.

22. In July 1995, when the Employment Insurance System took effect, a database was established to incorporate all the information on relevant areas, including job placement, vocational training and education, labour market trends and support schemes for employment adjustment. The computerized network for employment management, which was set up in 1987, has been upgraded into a comprehensive network that can cover nationwide job placement situations. This network is open to local governments, as well as national-level employment service agencies. As of October. 1997, it is open to 52 local labour offices, 144 local government offices, 17 branch offices of the Korea Manpower Agency (KOMA), and the Ministry of Patriots and Veterans (a total of 214 offices).

23. The Government plans to expand the public employment service, in particular by strengthening the functioning of manpower banks. Under the plan, 20 more manpower banks will be set up, especially in major cities and industrial complexes, and independent vocational counsellors, assistance staff and two vocational guidance officers will be placed in each manpower bank to promote job placement services. Likewise, independent vocational counsellors will be placed in the Job Security Division and the Employment Insurance Division of the local labour office (6 counsellors for each office, and a total of 276 counsellors for 46 offices), and 22 local labour offices, considered to be easily accessible by the public, will be reorganized into a comprehensive employment service centre which provides one-stop services about job placement, vocational guidance and unemployment benefits.

(c) Vocational training and education

24. By the end of 1997, there were 95 public vocational training institutes which was 20 per cent of the total number of vocational training institutes (473). To increase the participation and role of the private sector in the field of vocational training, and to promote the complementary functioning of the public and private sectors, the Government is trying to ensure that public training institutes focus on basic and advanced skills for high school graduates, the elderly, the disabled and other vulnerable groups, whereas private training institutes provide basic and advanced training for specialized jobs needed by companies and other jobs for which it is difficult for public institutes to provide training.

25. In addition, in response to the changes in the industry, the human resources development system has been improved to produce multi-skilled workers and, to this end, 19 training providers, well equipped with materials and facilities for human resource development, have been newly designated as Polytechnic Colleges. Training and educational curricula in those colleges include advanced technological areas such as production automation, mechanical electronics, information and telecommunications facilities, and industrial design.

(d) Promotion of a variety of employment types

26. The current labour laws ban any worker supply activity, except for that done by a trade union. However, there has been a widespread use of employee leasing in the labour market. The Government has banned the practice since 1993,

and as of December 1996 it detected a total of 570 illegal suppliers and filed charges against 21 of them. The problem, however, is that the Government's strict crackdown on illegal worker suppliers results in job termination of leased employees and encourages rigidity in companies' employment practice. In light of these circumstances, the Government, after consultations with workers and employers, drew up the "Act relating to Protection, etc. for Dispatched Workers", which took effect on 1 July 1998. This act protects the work conditions of dispatched workers (or leased employees), promotes a variety of employment types and, at the same time, minimizes the possible job insecurity caused by the legalization of worker dispatch programmes.

(e) Active employment policy under the Employment Insurance System

27. Since July 1995, unemployment benefits -- one of the three schemes under the Employment Insurance System -- have been applied to workplaces with 30 or more permanent workers, and the other two programmes (the employment security project and the vocational ability development project) have covered workplaces with 70 or more permanent workers. However, in March 1998, the unemployment benefits scheme was expanded to cover workplaces with five or more workers and the other two schemes will cover workplaces with five or more workers starting from July 1998. These employment insurance schemes will be expanded further to include workplaces with less than five workers and temporary and part-time workers in July 1999.

Table 3: Coverage of employment insurance

As of 30 April 1998 (unit: workplace/person/%)

	No. of workplaces covered	*No. of workers covered*		
		Total	*Male workers*	*Female workers*
Total	130 488	4 771 013	3 503 844	1 267 169
All three schemes under Employment Insurance System	35 059	3 581 624	2 661 747	919 877
Unemployment benefits scheme	95 429	1 189 389	842 097	342 292

28. The Employment Insurance System is financed by contributions from insured workers and employers who are policy-holders. These contributions are mainly spent on unemployment benefits, employment security projects and vocational ability development projects. The maximum premium rate for the insurance is 3 per cent, and the rate varies depending upon the trend in revenue and expense of the insurance system and other relevant economic conditions. The current premium rates for each of the three schemes are: 0.6 per cent of total payroll for unemployment benefits, 0.2 per cent for employment security projects and 0.1-0.5 per cent (depending upon the size of a company) for vocational ability development projects.

29. Employment security projects under the Employment Insurance System are aimed at increasing employment security by preventing unemployment caused by changes in the industrial structure and the business environment; promoting the employment of women, the elderly and other vulnerable groups; and facilitating a

reasonable distribution and utilization of human resources by pooling relevant information on job vacancies and job applicants. To this end, financial support is given to employers, in the form of temporary shutdown subsidy, job conversion training subsidy, business start-up education/training subsidy, workforce redeployment subsidy, new recruitment subsidy, job adaptation training subsidy, promotion of elderly employment subsidy, re-employment promotion subsidy, childcare leave promotion subsidy, and childcare facilities promotion subsidy. In addition, the loan project is in place to help employers cover the expenses of building or expanding in-plant childcare facilities.

30. The vocational ability development project is designed to establish a life-long vocational training system under which workers can continuously develop and improve their own abilities throughout their working lives. Employers who carry out in-plant vocational training will be provided with 90-100 per cent (70-80 per cent in cases of large companies) of the training costs, and employers who provide their workers with vocational training conducted at junior colleges or higher-level educational institutions or Labour Ministry-designated training institutes, are given 70-90 per cent of the training expenses. Also, employers who offer their workers with service duration of one year or longer, paid leave lasting 30 days or longer and pay them the usual wages or higher for the period, are provided with the workers' wages and 70-90 per cent of the training expenses within the limit of 6 million won (4 million won in cases of large companies).

31. Under the vocational ability development project, financial support is also given to workers. In cases where retired workers aged 50 or older take training courses at vocational training institutes or educational institutions, they will be provided with 90 per cent of the tuition fees within the limit of 1 million won. In cases where insured workers to be displaced, and displaced workers who were previously insured, take training/education courses for business start-ups, they will be provided with the entire training/education expenses. In addition, for insured workers who enter or attend Polytechnic College or junior colleges or higher-level educational institutions, a loan project is in place to lend the workers money for tuition at a low annual interest rate of 1 per cent, and the loan shall be paid back within four years after a grace period of two years. Furthermore, re-employment training is provided for unemployed workers who need to learn new skills and techniques to find new jobs. Financial support and training allowances are given to the training providers and the workers concerned to cover the training costs.

32. Unemployment benefits are intended to stabilize the welfare of unemployed workers and their families and to promote re-employment through a systematic provision of information about jobs and vocational training. The unemployment benefits are divided into two types of allowances: job-seeking allowance and employment promotion allowance. The former is for stabilizing the welfare of unemployed workers and helping them look for new jobs without serious financial difficulties, while the latter is for promoting re-employment. The employment promotion allowance can again be divided into four types: early re-employment allowance, vocational ability development allowance, wide-area job-seeking allowance and moving allowance. A worker is entitled to job-seeking allowance if he/she has been insured with Employment Insurance for a minimum period of 12 of the last 18 months. The amount of the job-seeking allowance equals 50 per cent of the previous average wage and is paid for 60-210 days, depending upon the period of being insured and the age at the time of being unemployed.

Table 4: Number of days for job-seeking benefits

Age at the time of job-leaving	*Period of being insured*				
	More than 6 months and less than 1 year	*More than 1 year and less than 3 years*	*More than 3 years and less than 5 years*	*More than 5 years and less than 10 years*	*10 years or longer*
Younger than 30	60 days	60 days	90 days	120 days	150 days
Aged 30-50	60 days	90 days	120 days	150 days	180 days
Aged 50 or older	60 days	120 days	150 days	180 days	210 days

4. Support for employment of vulnerable groups

(a) Policy measures for women's employment

33. Along with the steady economic growth, the increase in women's motivation to work and the Government's policy measures directed to improve circumstances for women's employment have pushed up women's economic participation rate. In 1997, the rate was 49.5 per cent and it is expected to go up further.

Table 5: Trend in economically active women

(unit: 1,000 people, per cent)

Year	*No. of people aged 15 or older*					*Economic participation rate (%)*	*Unemployment rate (%)*
	Total	*Economically active population*			*Economically non-active population*		
		Subtotal	*Employed*	*Unemployed*			
1980	12 659	5 412	5 222	190	7 247	42.8	3.5
1985	14 258	5 975	5 833	141	8 283	41.9	2.4
1990	15 897	7 474	7 341	133	8 423	47.0	1.8
1995	17 307	8 363	8 224	139	8 944	48.3	1.9
1996	17 593	8 568	8 434	134	9 025	48.7	1.6
1997	17 866	8 843	8 639	204	9 023	49.5	2.3

Source: National Statistical Office, "Yearbook of the Economically Active Population".

34. The Constitution of the Republic of Korea advocates the principle of equality, prescribing in article 11, paragraph 1, that all citizens shall be equal before the law, and there shall be no discrimination in political, economic, social or cultural life on account of sex, religion or social status. This principle is also declared in article 5 of the Labour Standards Act: "An employer shall not discriminate against workers by sex, or conduct discriminatory treatment in relation to the conditions of employment according to nationality, religion or social status." The Equal Employment Act, which was enacted in 1987 as an embodiment of the principle of equality, provides for the "prohibition of discrimination in recruitment and hiring," "equal payment for work of equal value," "prohibition of discrimination in education, job

deployment and promotion," and "prohibition of discrimination in retirement and dismissal." The Government's commitment to realize equal payment for work of equal value is clearly shown in its ratification of the ILO Convention (No. 100) concerning Equal Remuneration for Men and Women Workers for Work of Equal Value in December 1997.

35. The Government revised the Equal Employment Act substantially in August 1995 to promote women's employment and working conditions. With the revision, any discrimination in the areas of workers' welfare, including benefits paid in cash or in kind and housing loans, has been banned. In addition, a provision was added to the Act stating that workers' representatives, including women workers, shall be consulted when criteria for determining work of equal value are set up. This provision creates a legal framework to ensure that the principle of equal payment for work of equal value is effectively honoured.

36. In a related move, the Government has closely examined the rules of employment, which govern actual working conditions, for a variety of companies, and has urged employers to remove any discrimination, if any, against women workers in relation to recruitment, hiring, wages and retirement. As a result, the gender-based personnel management in the banking community (the so-called female teller system), which was notorious as a gender-discriminatory system in the past, was abolished. Since 1997, the Government has guided companies with 100 workers or more to correct any gender-discriminatory working conditions, including wage calculation methods.

37. The Labour Standards Act and the Equal Employment Act are currently applied to workplaces with five workers or more. That is, companies with four workers or fewer are excluded from these acts. However, an alternative protective mechanism is set up for the workers of these companies: if a worker suffers from any disadvantage in job employment or promotion, the local labour office concerned advises the employer to correct the situation and offers the worker information on settlement by the Civil Proceeding Act.

38. In order to relieve the burden of childcare for families and thus support the entry of married women into the labour market, the Government established "Policy Measures for Expansion of Childcare Facilities" in October 1994. During the period 1995-1997, a total of 1.3 trillion won were spent to invest in or lend money for building childcare facilities. As of the end of 1997, there were 15,365 childcare centres and 158 of them were company-based. In another effort to expand childcare facilities, the Government assigned 9.4 billion won in 1997 to provide financial support for covering the installation costs of childcare centres set up jointly by small and mid-sized companies (2.72 million won per centre). The Government also strongly supports setting up public childcare centres by the Korea Labour Welfare Corporation. Also, since 1995, the Government has provided financial support to cover nursery teachers' wages for companies which run workplace childcare centres.

Table 6: Yearly trends in childcare centres

(As of Dec. 1997)

Year	*Total*	*State-run or public childcare centres*	*Private childcare centres*	*Company-based childcare centres*	*Home-based childcare centres*
1992	4 513	720	1 808	28	1 957
1993	5 490	837	2 419	29	2 205
1994	6 975	983	3 091	37	2 864
1995	9 085	1 029	4 125	87	3 844
1996	12 098	1 079	6 037	117	4 865
1997	15 365	1 158	8 172	158	5 877

39. The Equal Employment Act provides for a "childcare leave scheme." Under this provision, when a worker with a child younger than the age of one applies for childcare leave for the purpose of taking care of the child, her or his employer can give the leave. To facilitate the spread of this scheme, the Government introduced in July 1995 a "subsidy for childcare leave promotion." The current (1997) amount of this subsidy, which is paid to an employer who offers childcare leave, is 90,000-135,000 won per month per worker. In addition, a "subsidy for women's re-employment promotion" was introduced to facilitate reemployment of women workers who have left the company on grounds of pregnancy, confinement and childcare. An employer who re-employs a female worker like the ones mentioned above within a certain period of time is provided with a one-time subsidy, the amount of which is determined by the Minister of Labour on an annual basis.

Table 7: Payments of childcare leave promotion subsidy

Year	*Standards for subsidy amount*	*Payment cases*	
		No. of companies	*Total amount of paid subsidy*
1995	- Large companies: 80,000 won per month per worker - Small and mid-sized companies: 120,000 won per month per worker	68	56 million won
1996	The same as above	442	1 446 million won
1997	- Large companies: 90,000 won per month per worker - Small and mid-sized companies: 135,000 won per month per worker	473	2 031 million won

40. In an effort to develop the vocational ability of the female workforce and increase women's participation on the industrial floor, 10 girls' technical high schools have been newly established and 98 technical high schools, which were previously open only to male students, have been converted into co-ed schools. The women trainees who have taken vocational training at least once during the 1993-1996 period total 107,000, or 16.2 per cent of the total trainees. The

proportion of women among the trainees of public vocational training institutes increased from 8.2 per cent in 1994 to 11.7 per cent in 1996.

Table 8: Trends on women's vocational training

(unit: person)

Year	*Total*	*Public vocational training institute*	*In-plant training institutes*	*Authorized private training institutes*
1993	32 682	2 682	22 013	7 988
1994	35 283	2 663	26 100	6 520
1995	37 644	2 555	29 291	5 798
1996	34 077	5 174	22 367	6 536
1997	40 324	10 232	23 112	6 980

41. "Working Women's Centres" were set up to stimulate economic activeness and provide vocational ability development opportunities for married women who find it difficult to get training in ordinary training institutes due to household responsibilities, including childcare. From 1993 to 1996, three centres were set up each year, and in 1997, five more centres were newly built bringing the total number to 17. Working Women's Centres give short-term (less than six months) training courses covering computers, electronic publishing, reading guidance, cooking, hairdressing, housekeeping, etc. and provide job placement services in close cooperation with companies. Since 1993, a total of 19,292 women have received vocational training and 8,565 of them became employed. In addition, 42,572 women have taken social and cultural education courses.

(b) Employment promotion of the disabled

42. The Korean Government enacted the "Act relating to Employment Promotion, etc. for the Disabled" to promote employment, vocational rehabilitation and employment security for disabled people and help them lead decent lives. Furthermore, in May 1996, with a view to significantly increasing the employment of the disabled, the Government re-examined the existing policy measures for employment of the disabled and established the "Five-Year (1996-2000) Plan for Employment Promotion of the Disabled." The plan's 380-billion-won budget has been spent on supporting vocational training institutes for the disabled, building vocational junior colleges for the disabled, and creating business environments in which the disabled can find jobs more easily.

43. Under the Act relating to Employment Promotion, etc. for the Disabled, large companies with 300 workers or more are obligated to employ disabled workers. In 1993, the Act was revised to raise the quota for disabled workers to 2 per cent from the previous 1.6 per cent. An employer who does not comply with the compulsory quota must pay a fine the amount of which is determined by the Minister of Labour in consideration of the level of minimum wage. The number of disabled workers employed by large companies increased from 8,764 in 1991 to 10,185 in 1996, and the number of disabled public officials working for national or local governments also increased, from 1,698 in 1991 to 2,999 as of June 1997.

44. Moreover, when an employer hires more disabled workers than required by the quota, the Government provides financial support. In cases where the company has fewer than 300 workers, financial support is provided with the "employment of the disabled promotion subsidy." During the period from 1992 to June 1997, 1.79 billion won and 5.46 billion won were paid for financial support and subsidies, respectively. As an additional measure to promote the new hiring of disabled workers, the Government has spent 1.82 billion won as of June 1997 in subsidies to employers who keep newly hired disabled workers employed for one year or longer.

Table 9: Trends in the employment of the disabled

(units: person, per cent)

Year	Companies			National and local governments		
	No. of workers	No. of disabled workers	Ratio of disabled workers	No. of public officials	No. of disabled public officials	Ratio of disabled public officials
1993	2 013 363	8 843	0.44	279 480	1 987	0.71
1994	2 092 055	9 097	0.43	280 887	2 181	0.78
1995	2 238 490	9 582	0.43	279 849	2 309	0.83
1996	2 279 116	10 185	0.45	294 594	2 926	0.99
June 1997	2 279 116	10 185	0.45	293 167	2 999	1.02

45. In June 1997, the Government designated 16 schools as "Special Schools" to promote vocational training institutes for the disabled and improve their skills. Since then, the Government has offered additional subsidies, for example, to support training facilities. In addition, 15 public vocational training institutes, evenly scattered throughout the country, were designated as "vocational training providers for the disabled." These institutes are required to ensure that at least 5 per cent of trainees are people with disabilities and are allowed to set up special courses or new courses for both ordinary and disabled trainees. These designated training institutes are also given government subsidies to improve training facilities and amenities and to pay training instructors a special allowance for training or job placement. In addition, private vocational training providers are granted a subsidy for training equipment and tools and a loan for facility installation.

46. The "Vocational Rehabilitation Comprehensive Centre" is scheduled to open in February 1999. This Centre, which will be built in Kyonggi province, will perform vocational training, vocational rehabilitation and research for severely disabled people. Also, a "Vocational Junior College" will be built in Pusan by March 2000, to train disabled workers to be highly skilled.

(c) Promoting employment of the elderly

47. The proportion of the elderly aged 55 or older among the whole population increased from 12.6 per cent in 1993 to 14.3 per cent in 1997, and is expected to exceed 16 per cent in early 2000. In response to the rapid aging of society, policy measures have been developed to help the elderly find jobs suitable to their ability. The employment rate of the elderly has increased substantially from 4.82 per cent in 1993 to 6.24 per cent in 1996.

48. To promote employment of the elderly, the Government created a list of occupations which are considered appropriate for the elderly, and has urged selected companies to give preference to elderly people in employing workers. In 1992, a list of 20 jobs was made and, in 1995, another 20 jobs were added to the list. Surveys were conducted at the end of 1997 to find more proper jobs to be added to the list. The goal of employment rate of the elderly among the listed occupation is set at 80 per cent by the year 2000 and the Government will strongly encourage companies to employ more elderly workers. A "subsidy for employment promotion of the elderly" has been in place since 1996 to support companies where 5 per cent or more of the workers are elderly workers. Under this subsidy scheme, 5,154 companies have received a combined amount of 6.4 billion won. Another scheme aimed at promoting employment of the elderly people is a "subsidy for the new hiring of the elderly" which is given to employers who newly hire elderly workers.

(d) Promoting employment of low-income people

49. Support to low-income people had been given in the form of social assistance, but it became necessary to provide them with opportunities for vocational training so that they could achieve self-reliance. Accordingly, since 1993, vocational training for low-income people has been carried out to help them attain self-sufficiency and earn higher incomes.

50. The vocational training is given to low-income people or the unskilled potential workforce, such as livelihood protection recipients, parentless children protection recipients, low-income farming and fishing families, unemployed workers, people with disabilities, servicemen to be discharged, housewives, the elderly, jobless youths, and middle or high school students who do not advance to higher-level schools. Their training tuitions are fully covered by the Government's subsidy, and they are provided with a training allowance during the training period. In addition, when trainees get a job after acquiring qualifications or finishing training courses, they are given an allowance which is designed to raise the effectiveness of vocational training. In 1997, 17,684 out of a total of 26,339 trainees finished training courses, and 7,321 people obtained jobs (the placement rate is 41.4 per cent). The target number of trainees for 1998 was 100,000.

Article 7. Working conditions

1. Safety of working conditions

51. Under the Labour Standards Act which took effect in 1953, basic working conditions (including wages, working hours, holidays, leave and dismissal) have been legally protected. To implement the Act, as of May 1998, 840 labour inspectors are working in 46 local labour offices throughout the country. The major mandates of the labour inspectors are conducting labour inspections at workplaces, handling petitions, and administrative or judicial handling of charges and suits filed by workers.

52. As of June 1998, the Labour Standards Act does not apply to workplaces with fewer than five permanent workers. However, the Government has run a "Grievance Handling Centre for Workers of Mini-sized Companies" in local labour offices in order to protect those workers. The Government has also worked out and disseminated a standard work-contract form which contains basic working

conditions to minimize the possibility of disputes over working conditions, and has also provided information services about sources of legal advice. It is expected that some of the Labour Standards Act provisions will be extended to workplaces with fewer than five workers beginning in 1999.

53. The Labour Standards Act prohibits any discrimination on the basis of nationality. Therefore, foreign workers who are legally employed receive the same protection as domestic workers. However, foreign workers without any lawful stay or work permit are not covered by the Act. Still, protection on a humanitarian basis is given to "industrial technical trainees" who have actually provided labour since February 1995. Some provisions of the Labour Standards Act have been applied to them, including those against forced labour and violence and concerning wage payments, working hours, holidays and leave, the Industrial Accidents Compensation Insurance Act and the Minimum Wage Act.

54. Since February 1994, retroactive to 1991, industrial accidents compensation has been provided for illegal foreign workers. In addition, "Grievance Handling Centres for Foreign Workers" in each local labour office are creating counselling services and handling overdue payment cases.

Table 10: Protection of working conditions under the Labour Standards Act

Type of conditions		*Contents*
Working hours	adults	8 hours per day, 44 hours per week
	minors (below 18)	7 hours per day, 42 hours per week
Extended working hours	male adults	not exceeding 12 hours per week only in the case of agreement between the employer and worker concerned
	female adults	not exceeding 2 hours per day, 6 hours per week and 150 hours per year, only in the case of agreement between the employer and worker concerned
	minors (below 18)	not exceeding 1 hour per day and 6 hours per week, only in the case of agreement between the employer and worker concerned
	extended work allowance	additional 50% or more of the hourly rate of the usual wage
Night work	women and minors	night work (22:00-6:00) prohibited
	night work allowance	additional 50% or more of the hourly rate of the usual wage (in the case of male adult workers)
Holidays	weekly holiday	1 day per week (52 days per year), paid
	Workers' Day (May 1st)	paid holiday
	holiday work allowance	additional 50% or more of the hourly rate of the usual wage

Leave	annual paid leave	10-day paid leave for workers who work a full year, 8-day paid leave for workers who work 90% or more of a year (1 day is added every year for workers with the service period of 2 years or longer)
	monthly paid leave	1-day monthly paid leave (12 days per year)
	menstrual paid leave (for women)	1-day monthly paid leave (12 days per year)
	pre-and post-natal leave (for women)	60-day paid leave
	childcare leave (for women)	1 year or shorter unpaid leave in the case of application
Retirement pay		30 days' worth of wage is given for each year of continuous service, in cases of 1 or longer continuous service
Dismissal	preconditions	dissmissals without any legitimate reasons are not allowed (in cases of employment adjustment, the management shall make efforts to avoid layoffs in advance; work out fair criteria for selection of workers to be laid off; send 60-day advance notification to the workers; and make sincere consultations with workers' representatives)
	dismissal notification	30-day advance notification or 1 month worth of wage shall be given to the worker concerned
Temporary shutdown allowance		70% of usual wage in case the employer is held responsible for shutdown
Industrial accident compensation		medical treatment compensation in cases of injuries or diseases arising out of work, temporary shutdown compensation, disability compensation, survivor compensation, and funeral expenses

2. Guarantee of minimum wage

55. Since December 1986, the Minimum Wage Act has expanded its coverage on several occasions and beginning in January 1990 has been applied to workplaces with 10 workers or more. The Act was revised again to include coverage of workplaces with five workers or more in 1998. More consideration will be given for including workplaces with fewer than five workers.

56. The level of minimum wage is determined annually by the Ministry of Labour, taking into account the actual living costs, current wages and labour productivity. Before the final determination, the Minimum Wage Council reviews the level of minimum wages in accordance with occupation types. The level of minimum wage is revised upward every year. The number of workers who have benefited from the minimum wage system from 1992 through August 1998 is shown in the table below.

Table 11: Number of workers who benefited from the minimum wage system

(units : workplace, person)

Coverage	1992	1993	Jan.-Aug. 1994	Sep. 1994 - Aug.1995	Sep. 1995 - Aug.1996	Sep. 1996 - Aug.1997	Sep.1997 - Aug.1998
	Workplaces with 10 workers or more						
No. of workplaces covered	88 771	98 695	103 774	112 274	117 658	122 351	-
No. of workers covered	4 620 164	5 045 064	4 916 322	4 863 923	5 380 697	5 240 135	5 324 834
No. of workers who benefited by the system	392 502	227 519	102 312	103 033	103 191	127 353	123 513

Sources: Ministry of Labour, "Survey on Situations in Workplaces"; Minimum Wage Council, "Report of the Survey on Wages".

3. Wages and income

(a) Wage determination

57. During the 1988-1991 period, the annual wage increase rate was 18.2 per cent. Mainly due to the high wage increase, economic problems such as high prices and weak competitiveness were brought about. In response, the Government selected 780 workplaces and advised them to limit the wage increase rate to 5 per cent or lower per year. This recommendation had no legal binding force, so, in most cases, the actual increase rate exceeded the recommended level.

58. In 1993 and 1994, the Government recommended companies to follow the wage increase rate agreed upon by the national-level trade union and the employers' organization. In 1995 and 1996, because the two organizations couldn't reach an agreement on the wage increase rate, the Government recommended that companies base wage increases on the rate suggested by experts on labour affairs and the public interests members of the Central Tripartite Council. Since 1997, however, the Government has not presented any recommended level, rather adhering to the principle of autonomous decision by labour and management.

(b) Wage level

59. In recent years, wage levels have continued to increase every year. In 1996, the monthly average wage of companies with 10 permanent workers or more was 1,367,501 won, which marked an 11.2 per cent increase over the previous year. However, in 1997, the average wage increase rate lowered to less than 10 per cent, partly because of the economic recession and partly because of the efforts of workers and employers to slow down the wage increase.

Table 12: Trends in wages and consumer prices

(units: won, per cent)

Year	Nominal wage			Consumer prices		Real wage		
	Amount	Increase rate	Index	Increase rate	Index	Amount	Increase rate	Index
1992	869 284	15.2	71.1	6.3	86.0	1 010 795	8.4	82.8
1993	975 125	12.2	79.8	4.8	90.1	1 082 269	7.0	88.6
1994	1 098 984	12.7	89.9	6.2	95.7	1 148 364	6.1	94.0
1995	1 222 097	11.2	100.0	4.5	100.0	1 222 097	6.4	100.0
1996	1 367 501	11.9	111.9	4.9	104.9	1 303 623	6.7	106.7
1997	1 463 300	7.0	119.7	4.5	109.6	1 335 128	2.4	109.2

Notes:

1. Real wages are the result of adjusting nominal wages based on the comsumer prices of 1995.
2. The benchmark year for wage indexes and consumer prices index is 1995.
3. Consumer price increase rates are annualized.

(c) Distribution of wages and income

60. As the wage level has risen, income distribution has also improved. The labour income distribution rate, which had stood still at 61.0 per cent since 1992, rose to 63.7 per cent in 1996. Also, the Gini coefficient decreased from 0.2732 in 1990 to 0.2540 in 1996, which is a sign of improvement in income distribution.

61. In addition, wage gaps among industries and those between genders have been narrowed. However, the wage gaps among companies of different sizes have widened, although there was a slight improvement in 1997.

Table 13: Labour income distribution rate

Year	1991	1992	1993	1994	1995	1996	1997
Labour income distribution rate	60.2	61.0	60.4	60.0	61.2	63.7	64.3

Source: Korea Labour Institute, "KLI Labour Statistics".

Table 14: Gini coefficient

Year	1985	1990	1995	1996
Gini coefficient	0.3110	0.2732	0.2487	0.2540

Source: Ministry of Labour, "1996 Report of the Basic Survey on the Wage Structure".

Table 15: Trend on wage gaps

	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997
Wage gaps between large and small companies a/	1.14	1.26	1.35	1.35	1.41	1.38	1.36	1.38	1.40	1.43	1.38
Wage gaps between genders b/	2.0	1.95	1.90	1.87	1.83	1.79	1.77	1.71	1.68	1.64	1.61

Source: "Report of Monthly Labour Statistics Survey" by Ministry of Labour.

a) The average wage among companies with 500 workers or more divided by that among companies with 10-29 workers.

b) The average wage of male workers divided by that of female workers.

4. Labour welfare

62. The "Act on Promotion of the Welfare of Workers in Small and Medium Enterprises" has been in effect since December 1993 to promote the welfare of workers in small and mid-sized companies, where welfare arrangements for workers are poor in comparison to large companies. In accordance with this act, the Ministry of Labour devises and implements basic plans for welfare promotion, including support for local governments in installing and operating labour welfare facilities and raising the "Labour Welfare Promotion Fund" to cover the costs of promoting the welfare of workers in small and mid-sized companies. The latter programme is financed by government investment and profits from lottery sales, and spent on (i) loans for house purchases or rents; (ii) loans and financial support for livelihood stabilization: (iii) loans and support for schooling expenses; (iv) support for installation and operation of public labour welfare facilities; (v) support and loans for installation and operation of welfare facilities in small and mid-sized companies; and (vi) support for cultural activities.

63. The "Act on Improvement of Working Life and Support for Employment Security" has been in effect since August 1997. Under this act, the Government runs savings accounts which (i) offer workers tax benefits; (ii) give financial support to companies outside the coverage of the Employment Insurance System, (iii) give financial support to companies which convert to a different type of business and still keep their workers employed; and (iv) give subsidies to companies which re-employ elderly or women workers who are displaced from certain types of business.

5. Guarantee of industrial safety

(a) Related laws and regulations

64. The Industrial Safety and Health Act provides for specific conditions to be observed for the safety and health of workers. Other relevant laws and regulations include: the Enforcement Decree and Regulations of the Industrial Safety and Health Act, the Act on the Prevention of Pneumoconiosis and Protection, etc. of Pnemoconiosis Workers, and the Enforcement Decree and Regulations of this Act. In addition, public notices, bylaws, directives,

technical guidelines and standards for working environments give relevant regulations or recommendations.

(b) Current trend in industrial accidents

65. The industrial accident incidence rate has continued to decrease since the mid- 1980s, and since the rate first recorded (0.99 per cent) in 1995, it stayed below 1 per cent until 1997. Regarding occupational diseases, despite the emergence of new occupational diseases, the number of workers who are suspected to have occupational diseases has declined due to active prevention measures. In contrast, the number and ratio of workers who are suspected of having ordinary diseases have increased, as a growing number of people have developed various adult diseases, including chronic retrogressive disease.

Table 16: Industrial accidents incidence rate

	1991	*1992*	*1993*	*1994*	*1995*	*1996*
No. of workers a/	7 922 704	7 058 704	6 942 527	7 273 132	7 893 727	8 156 894
No. of workers who suffered industrial accidents	128 169	107 435	90 288	85 948	78 034	71 548
No. of industrial accident cases	125 755	105 330	88 817	83 480	76 388	70 188
b/	6.35	6.02	5.18	4.69	3.90	3.49
c/	2.16	2.65	2.41	2.47	2.10	2.19
d/	16.18	15.22	13.01	11.8:	9.89	8.77
e/	1.62	1.52	1.30	1.18	0.99	0.88

a/ The number of workers covered by industrial accident compensation insurance

b/ $\frac{\text{No. of industrial accident cases}}{\text{No. of yearly working hours}} \times 1{,}000{,}000$

c/ $\frac{\text{Total No. of work days lost}}{\text{Total No. of yearly working hours}} \times 1{,}000$

d/ $\frac{\text{No. of workers who suffered industrial accidents}}{\text{No. of workers}} \times 1{,}000$

e/ $\frac{\text{No. of workers who suffered industrial accidents}}{\text{No. of workers}} \times 100$

Table 17: Ratio of workers who are suspected to have occupational diseases or ordinary diseases

(Unit : per cent)

	1991	*1992*	*1993*	*1994*	*1995*	*1996*
Occupational diseases	0.21	0.16	0.12	0.08	0.09	0.08
Ordinary diseases	3.21	3.71	4.03	4.59	5.42	6.12

(c) Preventive measures against industrial accidents

66. The Government introduced advanced systems for industrial safety and health, including the MSMD (material safety data sheet), process safety reports, and safety certification system. This was done on three occasions (1994, 1995 and 1996) of revising the Industrial Safety and Health Act in an effort to guarantee the safety and health of workers. Moreover, in 1995, the Government established the "Special Project for Industrial Accident Prevention" and invested 300 billion won to support mini, small and mid-sized firms in taking preventive measures and upgrading safety facilities. The Government also gave technical counselling and guidance about accident prevention and supported upgrading safety facilities and safety and health management mechanisms in companies that are engaged in work in which the likelihood of industrial accidents and occupational diseases is very high. In addition, in 1996, the Government laid out the "Three-Year Plan for Industrial Safety Promotion" and has since taken relevant measures under the Plan.

Article 8. Three major rights of workers

1. The right to organize and to act and bargain collectively

67. Article 33, paragraph 1, of the Constitution guarantees the three major rights of workers, stating that "to enhance working conditions, workers shall have the right to independent association, collective bargaining and collective action." To satisfy this provision, the Trade Union Act and the Labour Disputes Adjustment Act were enacted in 1953. In March 1997, these two acts were integrated into a new act: the "Trade Union and Labour Relations Adjustment Act." This act contains provisions concerning (i) the freedom to organize trade unions; (ii) autonomous collective bargaining and conclusion of collective agreements; (iii) legal binding force and validity of collective agreements; (iv) adjustment and arbitration of labour disputes; and (v) prohibition of unfair labour practices by employers.

68. Article 5 of the Trade Union and Labour Relations Adjustment Act (TULRAA) provides that workers (whose living depends on wages, salary and other similar types of income, irrespective of occupation) are entitled to freely join or organize trade unions. This means that workers may form enterprise-level, regional-level, industry-level or occupational-level trade unions. Furthermore, the provision banning plural unionism was abolished to legalize multiple federations or confederations of unions. Since the legal revision, a number of industry-level federations of unions have been established. However, for individual companies, multiple unionism was postponed until 2002. This grace period is needed to complement existing bargaining methods and procedures so that abrupt changes in bargaining practices will not lead to unstable relationships between workers and employers who are accustomed to traditional singular unionism.

69. Regarding the organization of a trade union, the Government adopted the principle of "free organization" and the reporting system. Workers shall submit an application for the establishment of a union to the Ministry of Labour, which will, three days later, issue a certificate for the application. Unfair labour practices of employers in relation to the formation and operation of unions (e.g. any dismissal of or discrimination against a worker on the ground that the worker has taken part in justifiable collective activities, or domination of or

interference with the formation or operations of a trade union by workers) are prohibited.

70. As of the end of 1996, the number of trade unions and unionized workers was 6,424 and 1,598,558 respectively, and the unionization rate was 13.3 per cent. The unionization rate has grown grew rapidly since July 1987 because of the great progress made in social and political democratization. However, in 1990, the rate took a downward turn, mainly because accelerating industrial restructuring brought about changes in the employment structure.

Table 18: Trend in unionization

Year	*No. of unions*	*No. of unionized workers*		
		Total	*Male*	*Female*
1992	7 531	1 734 598	1 323 521	411 077
1993	7 147	1 667 373	1 265 859	391 514
1994	7 025	1 659 011	1 285 627	373 384
1995	6 606	1 614 800	1 254 133	360 667
1996	6 424	1 598 558	1 259 626	338 626

71. Trade unions take several forms: enterprise-level, regional-level, industry-level, etc. As of the end of 1996, there were 26 industry-level unions whose members were individual enterprise-level unions. With the abolition of the provision banning multiple unionism in March 1997, an additional 14 industry-level unions were established by May 1998.

2. Restrictions on union membership and activities

(a) Working rights of public officials

72. Article 33, paragraph 2, of the Constitution states that "only those public officials who are designated by law, shall have the right to organization, collective bargaining and collective action." Likewise, the State Public Officials Act and Local Governments' Public Officials Act provides restrictions on public officials' rights to organize and join trade unions. Servicemen, police officers, correctional institution officials and fire fighters, all of whom are also public officials, are denied the three major working rights. These restrictions are based on the reasoning that those public officials are in the unique position of being servants of the entire people and are responsible for their safety.

73. However, public officials engaged in manual work at the National Medical Hospital and public organizations belonging to the Ministry of Information and Communications and the National Railroad Administration are entitled to organize or join trade unions, because they are not covered by article 66 of the State Public Officials Act and article 58 of the Local Governments' Public Officials Act. In addition, in the wake of the Tripartite Commission's agreement in February 1998 to guarantee public officials' right to organize, the Government devised the "Act on Establishment and Operations of Public Officials' Workplace Associations" which legalizes workplace associations of public officials, beginning in January 1999.

Table 19: Unionization of public officials

(As of the end of 1997)

Name of trade union	*Date of establishment*	*No. of unionized workers*
Railroad Trade Union	24 Aug. 1961	27 695
Postal Service Trade Union	24 Aug. 1961	23 390
National Medical Hospital Trade Union	8 March 1963	250

(b) Working rights of teachers

74. In further efforts to guarantee workers' rights, the Korean Government made it legal for teachers to unionize. On 6 January 1999, the "Act on Teachers' Unionization and Management" passed in the National Assembly and came into effect on 1 July 1999. By the enactment, teachers' basic labour rights such as the right to organize and the right to collective bargaining were ensured in accordance with recommendations of ILO and OECD.

(c) Political activities of trade unions

75. Although, with the revision of the labour law in March 1997, the provision banning political activities of trade unions was abolished, trade unions, along with other organizations, were limited to a certain level in relation to political activities under laws and regulations concerning elections. However, with the revision of the "Act on the Election of Public Officials and the Prevention of Election Malpractices" on 30 April 1998, trade unions have been able to carry out election campaigns for or against a political party or a candidate during the campaign period.

3. Labour relations reform

(a) Background of the new labour laws

76. The Presidential Commission on Industrial Relations Reform, including representatives of workers, employers and public interests, was set up in May 1996 to assess public opinion, balance the interests of labour and management, and discuss workable ways to revise the labour laws. Although the workers, employers and public interests members of the Commission shared the view that labour relation reforms were imperative for stronger competitiveness of companies and higher quality of life for workers, workers and employers failed to narrow their differences of opinions about some sticking points.

77. In response, the Government formed, in November 1996, the Industrial Relations Reform Promotion Commission which consisted of the heads of relevant ministries. This commission prepared the Government's revision bill based on the discussion results and presented it to the National Assembly in December 1996. On 26 December 1996, only the lawmakers affiliated with the then-ruling New Korea Party gathered in the National Assembly and passed the bill. But due to the workers' strong resistance to the "new law," another labour law revision was discussed again in the National Assembly. Finally, in March 1997, new labour relations laws, agreed to by both the ruling and opposition parties, came into existence. The new laws were aimed at forming a basis for independent bargaining

between labour and management, raising flexibility in the labour market and eliminating unreasonable systems and practices.

(b) Abolition of the prohibition of third party intervention

78. With the new labour laws in place, article 13, paragraph 2, of the old Labour Disputes Adjustment Act, which prohibited third party intervention, was abolished and new provisions concerning the scope of people or organizations from whom labour and management may seek assistance were added. That is to say, trade unions and employers shall be able to seek professional help concerning collective bargaining and strikes, respectively, from upper-level organizations of labour and management, those who are reported to the Labour Minister by either labour or management, and others who are entitled to provide professional help by law. The "report to the Labour Minister" entails a simple procedure which is intended to protect the independence of labour and management from unfair intervention of unwanted third parties. As of the end of December 1997, a total of 683,589 people were reported to the Ministry of Labour to provide help concerning collective bargaining and strikes in 185 workplaces throughout the country: 683,574 people in 182 workplaces were reported by trade unions, while 15 people in three workplaces were reported by employers. Until now, the Ministry of Labour has not rejected any applications.

(c) Restrictions on arbitration by the authorities in disputes in the public service

79. Under the old "Labour Disputes Adjustment Act," arbitration by the authorities was allowed for labour disputes anywhere in the public service. However, under the new law, only the essential public services (for example, medical, water, electricity, gas and telecommunications) whose suspension would clearly jeopardize people's everyday lives, undermine the national economy and be difficult to replace by ordinary business firms, are subject to arbitration by the authorities. Before the revision, arbitration was possible at the request of the administrative authorities or by the Labour Relations Commission. In comparison, the new law provides that arbitration is possible only by the Labour Relations Commission at the recommendation of the Special Adjustment Commission; the administrative authorities can no longer request arbitration by the authorities. The Special Adjustment Commission consists of three public interest members of the Labour Relations Commission, who are appointed by the Chairman of the Commission.

(d) Adjustment of restrictions on collective actions by workers in the defense industry

80. Considering the Republic of Korea's military and strategic situations, a stable supply and management of major defence materials is extremely important for national security and, therefore, article 33, paragraph 3, of the Constitution provides for restrictions on collective actions of workers of major companies in the defence industry. The problem is that under the old labour laws, the workers who were working for those companies but who were also engaged in producing civilian products were also limited in enjoying their right to act collectively. So the new law narrows the scope of workers who are prohibited from participating in collective actions to (i) those whose main job is to produce defence goods; and (ii) those who are engaged in providing electricity

or water services which are directly related to the production of defence goods, allowing other workers who are engaged in office work or other work with no direct relation to defence goods production to act collectively.

(e) Promotion of the fairness and professionalism of the Labour Relations Commission

81. The Labour Relations Commission is composed of the National Labour Relations Commission, 13 Regional Labour Relations Commissions and Special Labour Relations Commissions. Its purpose is to settle disputes regarding rights or interests between labour and management resulting from unfair dismissals or labour/management disagreement on wages and other working conditions. Each Labour Relations Commission consists of members representing workers, employers and public interests. While the representatives of the workers shall be appointed from among those recommended by the trade union and the representatives of the employers shall be appointed from among those recommended by the employers' association, the representatives of public interests shall be elected by workers and employers from among persons recommended by the Chairman of the Labour Relations Commission, the trade union and the employers' associations concerned.

82. Additionally, the Labour Relations Commission Act was revised in March 1997 to improve the independence, fairness and professionalism of the Commission. For more independent operations, the position of Chairman of the National Labour Relations Commission was promoted to the ministerial level and more mandates concerning personnel arrangements, budget planning, general control over administrations, etc. were given to the Chairman. The public interests members are divided into two groups: the adjudication group and the adjustment group, each of which requires a set of qualifications.

Article 9. The social security system

1. Development of social security

83. The development of social security is explained in detail in paragraphs 131 and 132 of the initial report on the Covenant.

2. The social security system

84. The social security system is explained in detail in paragraphs 133 and 137 of the initial report on the Covenant.

(a) The medical insurance system

85. The medical insurance system which was implemented under the Medical Insurance Act enacted on 16 December 1963 expanded its coverage to the whole population excluding the low income strata (1,642,000 as of Dec. 1997) who could not afford to pay their own contribution and who were covered by the medical aid programme. Universal coverage began on 1 July 1989.

86. The medical insurance programme and its benefits are explained in detail in paragraphs 139 and 140 of the initial report on the Covenant. Cash Sickness Benefits and Cash Maternity Benefits are excluded from the medical insurance benefits package.

87. Because the benefit period per year was limited to 180 days until the end of 1994, patients who had chronic diseases or diseases requiring long-term treatment were dissatisfied with the medical insurance benefits. In 1991, however, the benefit period was expanded to 270 days and the complaints of patients with medical insurance benefits were reduced. The benefits period limitation for elderly or disabled people was lifted in 1996. The Korean Government plans to expand the benefits period by 30 days annually and to rescind the benefits period limitation by 2000 by revision of the Medical Insurance Act.

88. The insured or their dependents are required to share a part of their medical expenses when they receive medical care services from the medical insurance programme. In the case of hospitalization, they pay 20 per cent of total costs. For out-patient services, they pay 30-55 per cent of the total expenses depending on the class of the medical care facilities. However, people over the age of 70 years pay less of the cost-sharing for out-patient services than others.

89. The employee's contribution to the medical insurance programme is determined by the constitution of each medical insurance society and ranges from 2 per cent to 8 per cent of the standard monthly wage; the employer should pay half for the employee. The contribution rate of government and private school employees is 3.8 per cent of the standard monthly wage, and the Government pays half for government employees. The employer should pay 30 per cent of the contribution for private employees and the Government subsidizes 20 per cent.

90. For the self-employed medical insurance programme, the contribution is calculated on the basis of the income, property, family size and number of cars they have. For the purpose of lessening the contribution burden of self-employed people in rural areas, the Government subsidizes a part of their contribution as well as all of the programme's administrative costs. The Government subsidized for the programme 1.05 trillion won in fiscal year 1998 which was 27 per cent of the total expenditure, 1.5 per cent of the central government budget and 0.2 per cent of GNP.

91. In order to ensure the financial stability of each medical insurer and decrease the financial differences between insurers, a fund-pooling programme for high medical fees, in which all insurers should participate, was introduced in 1991. Beginning on 1 July 1997, if the medical costs for an elderly person exceed 1 million won per case, the amount exceeding 1 million won is paid from the pooled fund. A fund-pooling programme for the medical fees of the elderly has been used since 1995 in order to reduce the financial burden on the elderly. It includes all hospital admission charges for those over 60. As of 1997, 248.2 billion won were transferred from the employee medical insurers to the self-employed medical insurers by these two programmes. Fund-pooling programmes contribute to the fiscal stabilization of the self-employed medical insurance societies, especially societies in rural areas which consist of many elderly people and farmers. In the end, fund-pooling programmes help to lessen the burden on the elderly and farmers.

(b) Medical aid programme

92. The medical aid programme, which is an assistance programme, is designed for low-income people who receive livelihood assistance and are excluded from

the medical insurance coverage due to the inability to pay medical insurance contribution. This programme, funded by the government budget, provides the poor with medical benefits and is categorized into class I medical aid for people in nursing facilities, people designated as "human cultural assets" by the Government, people of national merit and victims of calamities, and class II medical aid for self-support care recipients receiving livelihood assistance. As of December 1997, this medical aid programme has protected 1,642,000 people.

93. The benefits package of medical aid is explained in detail in paragraph 143 of the initial report on the Covenant.

94. Each local government has established a Medical Aid Fund financed by the central and local government. In 1998, 539.6 billion won were provided for this programme.

(c) National Pension

95. The Korean Public Pension system consists of a National Pension scheme for ordinary citizens and a special occupational pension scheme for government employees, military personnel and private school teachers. The Civil Servant Scheme was introduced in 1960, and was followed by the Military Personnel Pension Scheme in 1963, the Private School Teachers' Pension Scheme in 1975 and the National Pension Scheme in 1988.

96. According to the amended National Pension Act of 1986 (implemented in 1988), the National Pension Scheme covers Koreans who are between the ages of 18 and 60 and reside in the country. It was compulsorily applied to employees and employers in private workplaces having 10 employees or more. The compulsory coverage was extended to workplaces having five employees or more in 1992 and to farmers, fishermen and the self-employed residing in rural areas on 1 July 1995.

97. The type of coverage is classified into (i) the workplace-insured person, such as employees and employers in workplaces having five employees or more; (ii) insured persons in rural areas, such as farmers, fishermen and the self-employed; (iii) voluntarily insured people; and (iv) voluntarily continuing insured people such as elderly people whose insured term is less than 20 years and whose age is from 60 to 64. As of July 1997, the total number of insured people was 7,903,000 (workplaces, 5,687,000; rural area, 2,078,000; and voluntary including voluntary continuing, 138,000.)

98. Because the minimum qualifying period for eligibility for the Old Age Pension is 15 years or more, and the National Pension Scheme has been implemented for 10 years, those people who were more than 45 but less than 60 as of 1 January 1988 did not have a sufficient number of years to be eligible for the Old Age Pension. To guarantee a pension eligibility for the elderly, those covered for five or more years have been paid a Special Old Age Pension and farmers and fishermen over 60 but under 65 years of age on 1 July 1995 were allowed exceptional coverage. The current scheme has been applied to people who are engaged in some income-generating activities, but full-time housewives or women who have run a business with their husbands are excluded from the compulsory coverage. However, if a woman divorces her husband or remarries after his death, she loses her pension eligibility, causing a problem in old age income security. For this reason, the Government has tried to guarantee women's pension eligibility.

99. Under the National Pension Scheme, pension benefits include Old Age Pension, Disability Pension and Survivors' Pension. Lump-sum benefits include Lump-sum Refund and Lump-sum Death Payment. The Old Age Pension is paid to people who reach the age of 60 and who have been insured for at least 20 years. The benefit level is designed to ensure that people with 40 years of contributions whose income level is the same as the median value of all the insured, would receive 70 per cent of their average lifetime wage. The Disability Pension is paid to people who become sick or injured during the contributory period and who are physically or mentally disabled after medical treatment. The Survivors' Pension is paid to the survivors of the insured person whose contributory period is one year or more, or to the survivors of the dead pensioner. The Lump-sum Refund is paid to people on the loss of their insured status, whose contributory period is less than the minimum qualifying period required for pension benefits. The Lump-sum Death payment is paid when an insured person dies. As of 31 June 1997, the total number of payment cases was 4,981,000, including 202,000 cases of Special Old Age Pension, 47,000 cases of Handicapped Pension, 196,000 cases of Survivors' Pension and 4,532,000 cases of Lump-Sum Refund. Beacuse the scheme has been implemented for only 10 years, the Full Old Age Pension has not yet been paid. Most of the benefits paid are for Lump-sum Refund because the compulsory coverage is in the process of expansion.

100. The financial resources of the National Pension Scheme are mainly dependent on the contributions of the insured people. The government budget has subsidized 100 per cent (in the rural areas) or 50 per cent (in the workplace) of the administrative costs for the operation of the scheme. Also, an amount equal to one third of the contribution of those earning the lowest standard monthly income has been provided as a subsidy for farmers and fishermen. The Government provided 85.7 billion won in 1997 for the administration and operating costs of the National Pensions Corporation and in subsidies for the contributions of farmers and fishermen.

101. In June 1997, a task force for the long-term financial stability and reform of the National Pension Scheme was established. By 1999, the compulsory coverage was extended to the self-employed who are residing in urban areas so that the National Pension Scheme can include all the country's people.

102. Details of the pension system for civil servants, including private school teachers and military personnel, are described in paragraphs 150 to 152 of the initial report on the Covenant.

(d) Public assistance

103. According to the Livelihood Protection Act (1961), Korea carries out various programmes to guarantee a minimum standard of living for those who have little or no capability of earning a sufficient living for themselves.

104. The criteria for the selection of livelihood protection recipients include a monthly per capita family income of less than 210,000-220,000 won, and household property of a value of less than 26-28 million won. In 1997, there were 1,414,000 livelihood protection recipients. Recipients receive monthly livelihood aid expenses such as food costs. School entrance fees and tuition are paid so that the dependents of the recipients may attend middle school or high school. Medical care is offered to the recipients in the event of accident or disease.

105. For recipients who are capable of work, vocational training and financial assistance for operating a business are provided. Funeral aid and maternity aid are also provided to the recipients. These programmes are financed by the central and local governments.

106. In addition, the Government supports the total cost of medical expenses for low-income disabled people and provides grants to purchase and repair wheelchairs, prostheses, braces, white canes, etc. The Government also gives 45,000 won a month each to about 42,000 people with severe and complex disabilities who cannot lead their daily lives without the help of others. Furthermore, the Government provides loans for self-support to the disabled who have the capability of earning a minimum living.

107. The Government provides allowances for low-income elderly people. It also supports education and provides aid for families headed by mothers. In the near future, the Government is planning to expand the scope of these programmes and enhance the level of support.

(e) Industrial Accident Compensation Insurance

108. The Industrial Accident Compensation Insurance System is designed to compensate workers for injuries, illnesses or deaths caused by work done for employers. Under the system, the Government collects an insurance premium from employers on an annual basis in anticipation of cases where employers cannot afford to pay adequate compensation to workers or their families. For the operations of this system, the Industrial Accident Compensation Insurance Act was enacted in November 1963. This system had been under the direct control of the Ministry of Labour until April 1995, but on 1 May 1995, the Korea Labour Welfare Corporation (KLWC) was commissioned to administer the operations in order to increase the efficiency and professionalism of insurance-related tasks.

109. The Industrial Accident Compensation Insurance System is generally applied to all workplaces. However, some business sectors (depending on the risk of danger, size, business site, etc.) and workplaces smaller than certain levels are excluded from the compulsory application of the scheme. As of the end of June 1997, 209,000 companies had joined the insurance system and 8,092,000 workers at those workplaces were covered. The fund for industrial accident insurance is financed by the contributions (insurance premium) made by employers, and part of the administrative expenses of the insurance system is supported by the Government (9 billion won in 1996 and 10.89 billion won in 1997).

110. Industrial accident compensation is given when workers suffer injuries, diseases or disabilities or die from work-related causes. The kinds of insurance benefits include medical care benefits, sick leave benefits (injury disease compensation pension), disability benefits, surviving family benefits and funeral benefits. In order to protect workers who suffer industrial accidents while working for a company obligated to join the insurance system, insurance benefits are given to the workers concerned, regardless of whether or not their companies have joined the system.

111. The current level of industrial accident compensation is higher than that recommended by the ILO. In particular, the "Minimum Compensation System" sets special standards for poor workers whose incomes are so low that it is not

reasonable to use their average wages for calculating disability benefits or surviving family benefits. In addition, if the average wage of the workers concerned is lower than the minimum wage, the minimum wage is used to calculate the amount of injury disease compensation pension and shutdown benefits.

112. In order to stabilize livelihood and help build a basis for living for severely disabled workers who have lost the ability to work because of industrial accidents, financial support is given to cover living costs and school expenses. Moreover, in order to help injured workers recover, return to their normal lives and rehabilitate themselves, medical facilities, self-help workshops and rehabilitation facilities are in place.

113. The current Industrial Accident Compensation Insurance System does not run a special fund to finance compensation for long-term injured/diseased workers. But if the company of a long-term injured/diseased worker is closed down, the compensation to be paid to the worker is financed jointly by all industrial sectors in proportion to the ratio of total wages of each industry.

(f) Social security budget

114. The Korean Government's social security budget has increased from 2.4 per cent of the Government's budget or 0.4 per cent of GNP in 1981 to 6.2 per cent of the budget or 1.0 per cent of GNP in 1997. The Government's social security budget for 1997 was 4.2 trillion won. The rapid increase in the social security budget over the past 16 years is due to the expansion of social security services, including the introduction of the National Pension Scheme in 1988, the expansion of medical insurance to the entire nation in 1989, the expansion of coverage of pensions to rural areas and the introduction of employment insurance in 1995, and the implementation and expansion of the public assistance programmes described above.

115. The Fund for Social Welfare contributed to by civilians is explained in paragraph 166 of the initial report on the Covenant.

116. The Fund's reserves were 32.2 billion won in 1997, and the Fund donated 12.5 billion won in 1997. The operating system is explained in paragraph 167 of the initial report on the Covenant.

117. The Fund for Social Welfare complemented the governmental budget for social welfare. It effectively served to promote the participation of citizens in social work and social causes through a cooperative relationship between the Government and the private sector. With the Social Welfare Community Fund-Raising Act having been enacted on 1 October 1998, the existing Fund for Social Welfare was terminated and the reserves have been moved to the Community Fund-Raising Organization. With the introduction of the Community Fund-Raising System, it will be possible to maximize the mobilization of civilian welfare resources.

4. Social security expansion plans

118. All Koreans in Korea are now covered by medical insurance and medical aid. However, the present "low fee/low benefit system" cannot meet the demands of the Korean people in terms of the quantity and quality of medical services. The Government plans to change the present system into an "optimal fee/optimal

benefit system" with a view to converting the present health insurance system focused on treatment to a comprehensive National Health Insurance Scheme which would include diagnosis, treatment, rehabilitation and prevention. The National Pension Scheme, which covers workers employed in workplaces with five or more employees, the self-employed in rural areas, farmers and fishermen, will be extended to all citizens by the early part of the next decade.

119. In 1997, the amount of benefits per person in the low-income bracket was 104,000 won per month, which was an increase of more than double over that paid during the previous five years. The Government plans to continue to increase the level of livelihood protection gradually until the recipients are on a level comparable to that of other citizens. The Government also plans to increase the number of social welfare facilities, raise the family welfare allowance and improve family welfare service programmes for the elderly, the disabled and children. In addition, to improve the social welfare delivery system, the Government plans to establish and operate social welfare offices at city, county and district levels, which are the first levels of local government.

5. International cooperation

120. International cooperation to promote social security in Korea is explained in detail in paragraphs 170 to 172 of theinitial report on the Covenant.

Article 10. Protection of women, children, and the family

1. Concept of family

121. The concept of family and the character of the family system in Korea is explained concisely in paragraphs 173 and 174 of the initial report on the Covenant.

2. Social welfare policies for the elderly

122. Due to the continuous economic growth, the high standard of living and the advancement of medical care in Korea, the life expectancy of Koreans has increased from 69 in 1985 to 71.6 in 1990 and is expected to be 74.9 in 2000. Accordingly, the percentage of the total population that is 65 years and over is increasing. This percentage was 3.1 per cent in 1970, compared with 6.6 per cent in 1998. The number of people over 65 is expected to be 3,371,000 in the year 2000, comprising 7.1 per cent of the whole population. Moreover, the corresponding proportion is expected to be 13.2 per cent in 2020. It is expected that the welfare needs of the elderly will become diverse with the increase of the elderly population. The Korean Government has therefore established and has been implementing comprehensive welfare policies for the elderly to prevent social problems caused by the aging of society, improve the social status of the elderly and guarantee the security of life of the elderly.

(a) Policies to enhance the economic security of the elderly

123. Special scheme to guarantee a minimum standard of living. Since 1991, an old age allowance has been provided to poor, elderly people under the Livelihood Protection programme (a kind of public assistance programme). This allowance system covered only a limited number of elderly people and its level was deemed insufficient. Therefore, the Government has expanded the allowance to the

elderly between the ages of 65 and 79 years (some 228,000 people), providing 35,000 won a month, and to the elderly 80 years and over (some 36,000), providing 50,000 won a month in 1997. In spite of the expansion of the National Pension Scheme, most of the population 65 years and over are not covered by it. Therefore, when the "Welfare Act for the Elderly" was amended in 1997, old age pension replaced old age allowance to enhance the self-reliance capabilities of the elderly poor. The new old age pension system started in July 1998.

124. Policies to enhance employment opportunities. There are three job placement programmes that provide elderly people with an opportunity to earn money by making good use of their free time: (i) Elderly Employment Promotion under the Employment Promotion Law; (ii) Elderly Job Bank; and (iii) Elderly Workplace. The Employment Promotion Law stipulates that 60 types of jobs (selling bus tokens and cigarettes, attending parking lots and public parks, etc.) should be preferentially allocated to elderly people. In 1998, 70 Banks were being operated by local branch offices of the National Association of Senior Citizens. The Government has established 481 Elderly Workplaces in the elderly welfare and elderly activity centres.

(b) Health and medical policies for the elderly

125. Strengthening health and medical services. To prevent or diagnose geriatric diseases at an early stage, the National Health Insurance Programme provides benefits to the elderly for checkups. Free health examinations are provided to the elderly under the Livelihood Protection programme. To improve the health of the elderly, the Government has provided free health examinations that have been extended to cover special diseases, depending on the needs of the elderly. Benefits under the National Health Insurance Programme were limited to 300 days in 1998 but the limitation will gradually be extended every year until it finally reaches 365 days a year by the year 2000. Since 1996 the limitation was overruled only for the elderly and disabled. This extension will provide more treatment opportunities for the elderly who have chronic diseases and need more medical care and longer treatment.

126. Special 10-year plan for the elderly with dementia. As the number of elderly with dementia increases with the aging population, the Government has begun devoting attention to providing public care services for them. The Government will establish "Dementia Reporting and Counselling Centres" within every health centre to provide community-based services. Currently, there are nine nursing homes that specifically take care of the elderly with dementia. In addition, 15 more nursing homes and nine hospitals for elderly dementia patients are under construction.

127. Social care services for the elderly. The Government, realizing the difficulties of caring for the elderly at home, has begun devoting attention to social care services for the elderly. There are 52 home help service centres which provide various care services at home. For the families incapable of taking care of the elderly for the short term, 31 day care centres and 15 short-term care centres are currently in operation.

(c) Policies for creating meaningful and comfortable lives for the elderly

128. Establishment of the elderly activity centres. Each of the nearly 30,000 (as of 1998) elderly activity centres is supported with 44,000 won a

month for operational costs and 250,000 won a year for heating costs, both of which come from the central Government's budget. Moreover, to enhance the activities of the centres, information and various programmes are being developed and distributed, and ways to provide useful information on health and welfare, job placement, health insurance and pension in the centres are under consideration. Also, aids to daily living, such as cleaning services and meal delivery services, will be provided in cooperation with women's and youth community associations.

129. Establishment of multipurpose senior centres. To offer comprehensive welfare services like health counselling, cultural activities and recreation to the elderly, five pilot multipurpose senior centres are being established in Seoul and, eventually, nationwide. Eighty senior citizens centres are currently in operation and will be expanded, focusing on metropolitan areas.

130. Expansion of the facilities paid for by the middle-class elderly. To satisfy the needs of the middle-class elderly for high-quality leisure and housing services, central government agencies give financial support to private sector entities providing social welfare services. The Government grants 5-6-billion-won loans at low interest and tax reductions for private companies participating in the establishment of homes for the elderly, medical care facilities and hospitals for the elderly, the care in which is paid for by the beneficiaries. Also, the Government will continue to encourage welfare investment by the private sector.

131. Expansion of opportunities to participate in volunteer and social activities. The participation rate in volunteer activities is very low due to a lack of social awareness, although some elderly people do participate in volunteer activities such as environmental protection and traffic regulation. Because volunteer activities can boost the quality of life of the elderly, both physically and mentally, ways to promote volunteer activity by encouraging civil activities and providing transportation fees are under consideration.

(d) Boosting respect for the elderly

132. Celebration of the Elderly Week and Day of the Elderly. The Government celebrates "Elderly Week" and "Day of the Elderly" on 2 October with special regional activities as well as at workplaces to continue and develop the spirit of respecting the elderly. In addition, the Government has given rewards to the elderly who performed exemplary acts for others and has organized sporting events for the elderly and seminars on aging.

133. Expansion of the senior discount system. The discount system for the elderly is applied to a total of 13 items, including the public transportation fare (50 per cent of the second-class train fare, 30 per cent of the first-class train fare, 20 per cent of the ship fare, 10 per cent of air fare and free subway fare), for people aged 65 and over. This system helps to promote respect for the elderly and mitigate their economic burden and will be expanded with the cooperation of other ministries.

3. Policies for promotion of the rights of the child

134. The child welfare programme, which was started to protect war orphans after the Korean War, was expanded to cover all children under the age of 18.

The Infants Nurturing Act was enacted in January 1991 to provide care and education for infants who were unable to be cared for at home because of employment or illness of their guardians. The Government is working hard to contribute to both the sound upbringing of children and the promotion of women's participation in the workforce by investing in the expansion of day care facilities, according to the Three-Year Nurturing Plan (1995-1997) for providing day care to children under the age of six. The Government also encouraged family care of needy children by enacting the Act on the Promotion of and Procedure for Adoption in Special Cases in January 1995.

(a) Help for needy children

135. Child counselling centres provide counselling and guidance for children who are unable to be cared for by their guardians and child finding centres search for abandoned and missing children. There were 47 child counselling centres as of December 1997, run by juridical persons and city, county and district offices. In 1997 29,288 children received counselling.

(b) Family fostering system

136. The Government has encouraged domestic adoption of needy children and promotes their welfare through the 1995 Act mentioned above. Fostering allowances and subsidies have been provided to families which have adopted handicapped children and adopted child are exempted from paying educational fees.

137. There were 9,559 families (16,702 people) under the Livelihood Protection programme which are headed by children under the age of 18 as of December 1997. The Government supports the children's school, transportation and meal expenses and provides subsidies which allow them to continue studying while living with their families. The Government also helps them grow to be sound adults by providing emotional support through counselling and volunteer services and financial support through sponsorships with community people.

(c) Sound upbringing of needy children

138. Child welfare institutions were set up and operated under the Child Welfare Act and 16,936 children were being cared for in 274 institutions as of December 1997. The Government is working to change institutional care to small-sized residential care, such as cottage systems or group homes, due to the decrease in the number of needy children in the welfare institutions.

139. Self-support centres are operated to provide counselling and job arrangements for children who have left institutions. Self-support homes are also operated to provide children with shelter for a certain period of time and prepare them to become self-sufficient.

140. Children in welfare facilities, families headed by children and children of broken or low-income homes are provided with sponsors willing to provide financial and emotional support.

(d) Fostering the spirit of love for children

141. The Government has designated 5 May as Children's Day to foster the spirit of love for children. On this day, various events like children's festivals, composition contests and athletic activities are held and government awards are given to the people who have contributed to the promotion of child welfare.

(e) Day care

142. As noted above, the Government has invested in the expansion of more than 9,000 day care facilities. As of December 1997, 521,000 children were being cared for in 15,375 day care facilities.

4. Women's welfare promotion policies

(a) Measures to guide and protect women involved in prostitution

143. Efforts have been made to prevent prostitution, provide counselling and guidance to women who are already engaged in prostitution, and facilitate their return to legitimate work through a variety of rehabilitative measures, including vocational training. In parallel with these efforts, the Government reformed the Prostitution Prevention Act in January 1996, primarily to allow women in prostitution to stay at protective guidance facilities. The Act also stipulates heavier punishment for all parties connected with prostitution, including not only the prostitutes themselves but also their customers and those who arrange or solicit prostitution.

144. In addition, the Government has established 110 women's welfare counselling centres to provide counselling and guidance to women who are engaged in prostitution, women fleeing domestic hardship, and those who are highly likely to resort to prostitution. These facilities are staffed by 420 counsellors. In addition, a total of 12 temporary shelters, protective guidance facilities, and self-sustainment and rehabilitation facilities throughout the country provide guidance and vocational training to facilitate the return of women engaged in prostitution to society.

(b) Prevention of violence against women and protection of victims

145. In January 1994, the Act on Punishment of Sexual Violence and Protection of Victims Thereof was enacted to prevent sexual violence against women, protect the victims of such violence, and punish those who commit such crimes. For effective enforcement of this Act, 35 sexual violence counselling centres and three shelters for victims were established throughout the country as of 30 June 1997.

146. In order to protect women from domestic violence, a total of seven temporary shelters have been established. To meet the need for more active protection measures for the victims of violent crime, the Government enacted the Act on Domestic Violence Prevention and Protection of the Victim in December 1997. In accordance with the Act, both the central and local governments have devised legal and institutional arrangements to prevent domestic violence, protect victims and provide medical care and counselling to victims.

(c) Livelihood stabilization support for former Japanese military sexual slavery victims (so-called "comfort women")

147. In order to stabilize the lives of women who were forced into sexual slavery by the Japanese armed forces during the Second World War, the Government enacted the Former Japanese Military Sexual Slavery Victims Livelihood Stabilization Act in June 1993. This humanitarian law provides livelihood support and medical care for these women.

148. The Government has also afforded preferential long-term housing rentals and social welfare services, such as dispatch of volunteers and home care providers, to these comfort women. Financial support for general medical needs and dental care is also available.

(d) Self-sustenance support for low-income female heads of household

149. In accordance with the Mother and Child Household Welfare Act, the eligibility for educational grants, which had been limited to primary amd middle school children who were members of low-income female-headed households with less than a certain amount of assets, was expanded in 1993 to cover children in business high schools. The allowance for child raising was also expanded to cover children from six years of age or younger instead of three years of age or younger.

150. In order to support low-income female-headed households in their self-sustenance efforts, low-interest livelihood support loans, long-term low-rental housing arrangement services and job placement services are available. In addition, a total of 39 shelter residences are in operation to accomodate homeless female-headed families for a certain period of time in order to facilitate their efforts to achieve self-sufficiency.

(e) Support for women's participation in social activities

151. The Master Plan in Women's Policies has been drawn up for the 1998-2002 period and it provides comprehensive policy direction for the Korean Government. Under this plan, women's policies will be pursued through cooperation among all the ministries concerned. Central government ministries and local government bodies will both systematically implement their respective programmes within the Plan's overall framework.

152. The Government designated 39 women's policy units in central government ministries and agencies in order to facilitate coordination of women's policies. Furthermore, all ministries and agencies are required to submit reports on women's policy plans and their implementation annually to the Presidential Commission on Women's Affairs, which reports directly to the President. Women's policies will therefore be implemented in a consistent and systematic manner.

(f) Expansion of women's participation in government committees

153. To promote the rights and interests of women and to ensure their substantial participation in society, the Government has been seeking to

increase the presence of women in a variety of committees and commissions which play important roles in policy determination. As part of these efforts, the Government has established an annual target ratio for women in these committees. As of September 1995, however, the percentage of women members in government committees and commissions had stagnated at 7.0 per cent. This lack of progress demonstrated the need for stronger measures rather than simply urging the committees and commissions in question to comply voluntarily with the target levels of participation. To remedy this situation, the Women's Development Act was enacted in 1996. The Act has been the legal basis for the establishment and enforcement of women's participation target ratios by national and local autonomous bodies. In addition, each committee has been charged with setting up and implementing annual target ratios for women's participation. As a result of these efforts, the ratio of women in government committees and commissions has increased from 3 per cent in June 1992 to 9.2 per cent in 1996. The committees and commissions are expected to increase their ratios to at least 30 per cent by the year 2002.

Table 20: Female representation ratios in governmental committees/commissions (comms.)

Category	*Total number of comm. members*	*Comms. unable to reach 30% target*	*Comms. under special management*	*Composition of comms. under special management*						
				Total		*Ex officio*		*Appointees*		*Female ratio among appointees (%)*
				Total	*Female*	*Total*	*Female*	*Total*	*Female*	
Total	1 186	272	914	15 031	1 404	3 762	153	11 269	1 251	11.1
Central Govt.	310	111	199	4 148	346	1 022	22	3 126	324	10.4
City/provincial govt.	876	161	715	10 883	1 058	2 740	131	8 143	927	11.4

154. The Female Public Employee Target System has been in force since 1996. Designed to substantially increase the number of senior female government officials (and thus reflect women's interests and perspectives in the process of policy determination), the system has set a ratio for the recruitment of women into the public sector. If the ratio of women who pass competitive public employee examinations falls short of the target ratio, female applicants with the next best scores are recruited to meet the target. This system is codified in the revised Official Appointment Regulations of 22 December 1995 and the revised Local Official Appointment Regulations of 23 March 1996. These laws stipulate that the system described above must be applied to administrative and foreign service examinations when the planned number of recruits from each test is greater than 10. It has also been used in the open recruitment examinations for seventh-level administrative, public security and foreign affairs personnel. The target ratio prescribed for these tests will rise from 10 per cent in 1996 to 20 per cent in 2000. Starting in 1999, the system will also be applied to recruitment examinations for ninth-level national and local officials. (The target ratio will increase to 20 per cent, advancing a year ahead of schedule.) To date, the ratio of women in the fifth-level or above (which plays an important part in policy formulation) has remained very low - only 2.5 per cent

as of December 1996. Women's participation in policy determination processes has thus been no more than minimal. The Female Public Employee Target System will substantially increase women's advancement into high-level positions and thus allow women's interests and opinions to be reflected further in national and local policies.

(g) Vocational training for women

155. The Government has implemented the following measures to reform the women's education system and to equip women with the skills and capabilities necessary to compete in the changing socio-economic environment:

(a) First, the number of women's technical high schools (eight in 1995) will be increased by establishing one new technical high school per year;

(b) Second, engineering programmes and their attendant departments will continue to be established at women's universities. In 1996, Ehwa Women's University added four engineering departments with 260 students. These efforts will help educate women in the fields of science and technology;

(c) Third, vocational training programmes that best utilize women's unique capabilities will be developed and implemented. In order to further develop women's vocational skills, public vocational training agencies have started to provide training in such areas as information technologies and fashion. The ratio of women in these fields increased from 12.7 per cent in August 1996 to 15 per cent in 1997, 20 per cent in 1998, and will further expand to 30 per cent in 2000;

(d) Fourth, in late 1996, the Government devised measures to promote women's vocational training. These measures aim to develop women's vocational skills and train women to be qualified for the industrial workforce. These measures will provide more opportunities for women to receive education and training offered by the public sector and thus improve their employment prospects;

(e) Lastly, the Government has been establishing three "Houses of Working Women" per year, starting in 1993, to assist married women in employment and capacity-building activities. As of late 1997, a total of 17 houses were in operation to support divorced women who cannot go to other vocational training institutes.

(h) Childcare leave system

156. The Government has been implementing a childcare leave system to assist women in balancing their work and child-raising responsibilities. Under this system, employers will be required to allow one year of childcare leave to female employees who have children under the age of one, when they ask for leave. The Equal Employment Act was revised in August 1995 to expand eligibility for childcare leave to men. The National Public Service Law was also amended in December 1995 to allow public officials to take childcare leave. In the meantime, the Employment Insurance Fund started to award childcare leave incentive funds to employers beginning in July 1995 to relieve the financial burdens incurred by employers when employees take a prolonged leave. This

combination of laws and financial support has helped to further promote childcare leave among employers.

(i) Public Sector Female Employment Incentive System

157. The Fourth World Conference on Women held in Beijing discussed women's economic empowerment as one of its main agenda items and adopted a Platform for Action that called for proactive measures to eradicate gender-discriminatory barriers. In an effort to achieve this end, in October 1995, the Government established the "Public Sector Female Employment Incentive System", which has been operating since 1996. The System aims to enhance awareness in the private sector concerning the importance of utilizing women in the workforce. It affords a five-point advantage to female applicants in open competitive examinations given by companies receiving government investment. As of late 1997, 21 out of 106 public sector business/industrial establishments (19.8 per cent) took advantage of the system.

5. Policy to promote the welfare of disabled people

158. In Korea, there has been a remarkable improvement in the welfare of people with disabilities since the International Year of Disabled Persons (1981), declared by the United Nations. The Paralympic Games, held in 1988 in Seoul, greatly increased the pubic awareness of people with disabilities and accelerated the introduction of comprehensive policies for the welfare of people with disabilities. To strengthen these policies, the division in charge of the welfare of people with disabilities in the Ministry of Health and Welfare was expanded to a bureau. In addition, the Seoul International Conference on Disability was held in 1997, the mid-point year of the Asian and Pacific Decade of Disabled People, 1993-2002. The conference was comprised of three meetings – the UN/ESCAP Senior Officials Meeting, the Regional Conference of Rehabilitation International, and the Regional NGO Network Campaign '97 – and was attended by over 1,000 participants from 45 countries. The conference explored alternatives and ideas for improving the welfare of people with disabilities in the Asian and Pacific region and discussed measures for strengthening intergovernmental cooperation for the achievement of shared goals.

159. The objective of the Government is to ensure the rights of people with disabilities to full participation and equality. To achieve this objective, the Government provides disabled people with proper protection, including livelihood aid for those in the low-income bracket, various welfare facilities according to their disability types, and also measures to eliminate the social barriers and prejudices towards people with disabilities. The estimated number of people with disabilities was 1,053,000 as of 1995, and among them 501,000 were registered as people with disabilities as of March 1998.

160. Laws concerning the welfare of people with disabilities, such as the Disabled Persons' Welfare Services Act, the Act relating to Employment Promotion, etc. for the Disabled, and the Promotion of Special Education Act, were all enacted to provide proper rehabilitation services. And the Act to Secure Conveniences for Disabled Persons, Elderly Persons, and Pregnant Women and Nursing Mothers was enacted on 11 April 1998. Under the Act, people with disabilities are eligible for special education services, vocational rehabilitation services and use of welfare facilities.

(a) Expanding welfare services for the disabled at home

161. To provide medical rehabilitation services, the Government is training medical personnel and supporting the expenses for managing rehabilitation medical centres. The Medical Insurance Programme provides reimbursements for seven types of devices for people with disabilities, such as hearing aids. Welfare centres and gymnasiums provide comprehensive welfare services for people with disabilities living at home and rehabilitation facilities such as the home visit welfare service centre, the errand service centre for the blind, day care centres and group homes, have been established to promote the quality of life of people with disabilities and their families.

(b) Income maintenance for people with disabilities

162. The Government provides income maintenance support for the disabled and their families, such as giving them priority in running vending machines and sales shops in public facilities and buildings and providing long-term loans at low interest rates. One of the indirect income subsidies is tax benefits, such as reduction of income and inheritance taxes, reduction or exemption from duties on goods for the disabled, reductions and exemptions from auto taxes, and special consumption taxes for vehicles installed with auxiliary devices for the disabled. In addition, the Government also relieves some of the financial burdens on the disabled by discounting disabled people's telephone rates and exempting them from railroad and subway fares, television receiving fees and tolls for the expressway.

(c) Welfare facilities for people with disabilities

163. There are various facilities providing rehabilitation services for disabled people, such as residential facilities, health care facilities, vocational rehabilitation centres and non-residential welfare centres. As of January 1998, social rehabilitation, medical rehabilitation and educational rehabilitation services were provided in 68 welfare facilities and 16,232 people with disabilities were receiving rehabilitation services in the 183 residential facilities.

(d) Promoting welfare circumstances for the disabled

164. To promote the disabled's participation in social activities, it is necessary to carry out reforms in several areas which have restricted their participation, including regulations, facilities and public awareness towards people with disabilities. Public buildings are being installed with barrier-free facilities to improve acces for the disabled and the Government enacted the Special Act to Secure Conveniences for Disabled Persons, Elderly Persons, Pregnant Women, and Nursing Mothers. To eliminate prejudice against people with disabilities, 242 organizations participate in the "Disabled First Campaign", to which the central and local governments give financial and administrative support.

(e) The prohibition of discrimination against people with disabilities

165. To prohibit discrimination against people with disabilities, the Government has enacted several laws. First, under article 3 of the Disabled Person Welfare Services Act, no person who has a disability shall be subject to

discrimination in political, economic, social or cultural life. Also, employers shall not discriminate against disabled workers with regard to employment, promotion, transfer, education and training, etc. under article 4 of the Act relating to Employment Promotion, etc. for the Disabled. Article 13 of the Promotion of Special Education Act stipulates that the principals of every school shall not take any action that unfairly discriminates against disabled students, including rejection of their application and refusal of admission.

(f) Education for people with disabilities

166. To improve the quality of special education and expand educational opportunities, administrative bodies have been specialized and strengthened, and special education schools and special classes in the ordinary schools have been set up. Educational opportunities have been expanded through integrated education, placement of consultant teachers and establishment of visiting education for people with disabilities at home. Also, the contents of special education have been improved, such as by creating special subjects for vocational education and support given for the construction of vocational guidance rooms and the strengthening of vocational education at special schools.

(g) Training and employment for people with disabilities

167. To promote the employment of people with disabilities, the Government enacted the Act relating to Employment Promotion, etc. for the Disabled in 1990. Under this Act, employers who employ more than 300 workers shall ensure that no less than 2 per cent of the total number of workers are disabled people. The public sector has endeavoured to employ disabled people under the Act. To promote the employment and training of people with severe disabilities, 137 sheltered workshops and nine regular workshops have been operating since January 1998. Nationwide, seven retail stores have been established to sell products manufactured by people with disabilities. To strengthen the basis of employment for the disabled, the Government has established welfare factories for people with disabilities and introduced an employment system to facilitate the employment of trainees of vocational rehabilitation centres. The Government has also provided special training allowances and held job fairs for the disabled in order to improve social awareness concerning the employment of people with disabilities.

6. The protection of pregnant women

168. The protection of pregnant women is explained in detail in paragraphs 197 to 200 in the initial report on the Covenant.

7. Policy for the protection of the youth

(a) Measures for the protection of the youth

169. As of 1 July 1997, there were about 12,138,000 young people (6,274,000 male and 5,864,000 female) between the ages of 9 and 24 in the Republic of Korea. They accounted for 26.4 per cent of the total population, a ratio that is gradually declining.

170. The Government enacted a law for the protection of the youth in July 1997 in order to foster an environment in which they can grow up to be adults with a

strong moral character. Specifically, the law protects the youth from exposure to pornography, violence and drug abuse through audio, visual, printed and other materials. In order to push through various measures aimed at carrying out the law, the Government established the Committee for the Protection of the Youth as an administrative organization under the Ministry of Culture in July 1977.

(b) Policies for the development of the youth

171. The Government's youth projects were carried out by the Ministry of Sports and Youth, which was established in the 1990 government reorganization. But when this ministry merged with the Ministry of Culture in 1993, the Youth Policy Office of the Ministry of Culture and Sports took over the administration of youth policies.

172. The Support Fund for Youth, which was established for the construction of facilities and the improvement of other conditions for youth, reached about 116.5 billion won at the end of 1997. The money for the Fund came from contribution from the Government, the Fund for the Promotion of Sports and the interest on these funds. The Government plans to increase the Support Fund every year.

173. In 1992, there were 298 facilities for youth such as youth training centres and youth hotels, throughout the country. However, with the Government's support, the number rose to 487 in 1997. In order to lead the youth on the right path, the Government had trained more than 3,000 young leaders by 1997 and assigned them to youth and other organizations.

174. As of 1997, there were 90 youth organizations, of which 37 were under the umbrella of the National Council of Youth Organizations. The number of young people affiliated with these organizations was 2.45 million, which accounted for 19.7 per cent of the youth of the country.

175. The Government plans to make diverse efforts to nurture the youth so that they can cope with the various problems of the twenty-first century. It will work towards helping improve the facilities of specialized youth centres. And qualified teachers will train youth in specialized fields.

(c) Protective measures for working youth

176. There were 425,000 working people between the age of 15 and 19 in 1997, down from 639,000 in 1990. The number who lost their jobs totaled 32,000, while their unemployment rate was 9.9 per cent. The drops were attributed to the decline in the number and competitiveness of labour-intensive industries and the rise in the number of young people undertaking higher education.

Table 21: The population of working young people

(unit : thousands)

Year	*1980*	*1990*	*1994*	*1995*	*1996*	*1997*
Working population of youths	1 194	639	479	441	426	425

Source: Statistics Office, "Annual Reports on the Working Population".

177. Clause 4 of article 32 of the Constitution of the Republic of Korea provides that "special protection shall be accorded to working women and children". Clause 5 of the Labour Standards Act prohibits anyone from employing young people under the age of 15. Moreover, young people under the age of 18 are prohibited from being employed in 57 different kinds of jobs, including those regarded as dangerous or morally or physically harmful to minors. The Act also says that their working hours should not exceed seven hours a day or 42 hours a week. Minors are also not allowed to work at night between 10 p.m. and 6 a.m., and on holidays.

178. The Government built apartment houses of 30-54 m^2 for young, unmarried working women to help boost their income and provide them with better living conditions. A total of 8,053 apartment houses in 83 regions have been built so far.

179. The Government has also built and is operating centres for working young people in industrial complexes or areas where many working young people live. The centres will help develop the potential of working young people by providing them with social and educational facilities and extracurricular activities. In the centres are educational, health and sports facilities as well as other auxiliary facilities. These centres, numbering about 21 across the country, also offer cultural education courses, programmes in the arts and short-term training. In order to assist working young people in their creative activities, the Government holds cultural and art festivals for them in fine arts, literature, music and drama every year.

Article 11. Right to an adequate standard of living

1. Standard of living

180. Korea has achieved rapid economic development within a short time through the Five-Year Economic Plans beginning in 1962, while overcoming social unrest and the damage caused by the Korean War. Rapid economic development, including industrialization and urbanization, has helped to improve the standard of living. It has also influenced the social structure and culture as well as the structure of the family, which is the fundamental social group.

181. The wage and income distribution situation has been improved as explained in paragraph 60 of this report.

182. The wage gap among industries is explained in paragraph 61 of this report.

(a) Nutritional status

183. The yearly change in dietary protein intake, which is the best indicator for nutritional status, was 67.2 g in 1980, 78.9 g in 1990 and 73.3 g in 1995. During this period, dietary protein intake from animal sources increased from 19.3 g in 1980 to 31.4 g in 1990 and 34.7 g in 1995, indicating a great improvement in nutritional status. However, an increase in the number of patients with chronic degenerative diseases has been recently anticipated due to an over-intake of nutrients.

(b) Medical facilities

184. The number of medical facilities has increased more than twofold, from 11,781 in 1980 to 30,772 in 1996. With respect to medical personnel, the number of physicians, including dentists and homeopathic doctors, has increased from 29,199 in 1980 to 87,281 in 1997 -- meaning that there are 644 people per physicians, including homeopathic doctors, and 3,007 people per dentist. The number of nurses, nurses' aides and pharmacists has increased more than threefold over the last 15 years. These increases have enhanced people's accessibility to medical services.

(c) Medical insurance

185. As a result of the implementation of universal coverage of medical insurance across the country, the life expectancy of the Korean people increased from 65.8 in 1980 to 71.7 in 1991.

(d) Housing supply

186. The Government has expanded the housing supply and succeeded in raising the housing supply ratio to 76 per cent by implementing the "Two Million Housing Construction Plan" between 1988 and 1992. However, the housing shortage is still severe in urban areas, where housing supply ratios are below 70 per cent. This shortage could be an obstacle to balanced development between sectors and to the improvement of industrial competitiveness.

187. Therefore, the Government formulated the "New Five-Year Economic Development Plan", which involved raising the housing supply ratio to 90 per cent by constructing 500,000-600,000 units every year from 1993 to 1997 while securing stable construction and provision of housing within Korea's economic capacity.

188. During the planned five years, 3,130,000 units were constructed (10 per cent more than the planned amount), raising the supply ratio to 92 per cent by 1997. The public sector, including the Korea National Housing Corporation and local governments, built 1,164,000 units, accounting for 86 per cent of the target figure. The private sector constructed 1,961,000 units, exceeding the planned 1 million units by 31 per cent.

Table 22: Trend in housing supply ratio

	1980	*1990*	*1992*	*1994*	*1995*	*1997*
Supply ratio (%)	71.2	72.4	76.0	81.7	86.1	92.0
Housing stock (thousand units)	5 319	7 357	8 310	9 346	9 579	10 627
Number of households (thousand)	7 470	10 168	10 933	11 436	11 131	11 544

(e) Degree of community safety

189. The index for measurements of community safety, i.e. the number of criminal offences, is also showing a gradual increase from 560 cases per 100,000 people in 1990, to 650 in 1993 and 889 in 1996.

(f) Common amenities

190. In terms of common amenities, the number of telephones per 100 people has increased from 31 in 1990 to 37.8 in 1993, and 43 in 1996. The number of cars has sharply increased from 2,075,000 in 1990 to 4,271,000 in 1993, and 6,894,000 in 1996.

191. In sum, the standard of living of the Korean people has improved continuously throughout the entire society.

2. Per capita GNP of the poor and the poverty line

192. The criteria for selecting recipients of public assistance, which is established on the basis of a survey every five years, is officially regarded as the poverty line in Korea.

Table 23: Criteria for selecting recipients of public assistance in 1997

Category	*Income(/person, month)*	*Property(/household)*
Home care recipient	Less than 210,000 won	Less than 26 million won
Self-support care recipient	Less than 220,000 won	Less than 28 million won

193. The number of recipients of public assistance fell from 2,176,000 in 1992 to 1,414,000 in 1997.

Table 24: Public assistance trends - recipients

(Unit: 1,000 people, %)

Category	*1993*	*1994*	*1995*	*1996*	*1997*
Total (% of entire population)	2 001 (4.8)	1 903 (4.3)	1 755 (3.9)	1 506 (3.3)	1 414 (3.1)
Institutional care	83	81	78	76	77
Home care	338	321	307	296	297
Self-support care	1 580	1 501	1 370	1 134	1 040

3. The right to sufficient food

(a) Improvement of food quality

194. Legal and systematic measures for food supply and safe food controls are explained in detail in paragraphs 231 to 236 of the initial report on the Covenant.

195. According to the Food Sanitation Act and the Nutrition Improvement Ordinance, a National Nutritional Survey was conducted every year from 1969 to 1995 to evaluate the nutritional status of the Korean population by examining nutrient intake, food intake and health status. Since 1996, this survey is undertaken every three years under the Health Promotion Act.

(b) Information sources for food

196. Information about food is collected and reported by the Ministry of Health and Welfare (MOHW), the Korea Food and Drug Administration (KFDA), six local Food and Drug Administrations (local KFDA), local governments at city, county and provincial levels, honourary food inspectors, as well as groups of citizens. The information collected by MOHW and the subsidiary institutes monitor the results of nutritive intakes. The information collected by honourary food inspectors, as well as groups of citizens, are reports or complaints of fraudulent or adulterated foods. In addition, the resident officers in foreign countries collect information regarding imported foods.

197. The KFDA and local KFDA operate consumer counselling offices, and local governments operate consumer complaint offices to collect information and deal with the problems reported by inspectors on the premises of plants manufacturing fraudulent and adulterated foods. Based on these efforts, food manufacturing premises and the quality of food have been improved.

(c) National Nutrition Survey

198. The data from the National Nutrition Surveys and from the Food Balance Sheets generated by the Department of Agriculture, have shown that no severe starvation or malnutrition exists in Korea. However, the data imply that over-nutrition or marginal nutrition deficiency may exist. In order to ameliorate this situation, publicity activities have been undertaken to improve habits in accordance with the dietary guidelines prepared in 1990.

199. The Korean Government conducted National Nutrition Surveys at 100 sites, among 2,000 households, every year until 1995 under article 70 of the Food Safety Act and the Nutrition Improvement Act, and the number of samples has been changed as follows :

Table 25: Changes in samples for National Nutrition Surveys

Years	*No. of samples (households)*	*Sample population*	*Areas surveyed*	*Reference*
1969	990	The Economic Planning Board (statistical yearbook)	Seoul, Kyonggi, Chungnam, Chungbuk	Survey was carried out by Korean Nutrition Society
1970-1974	600	Report of settled population survey (estimation)	- Seoul, Kyonggi, Chungbuk (1970, 1973) - Kangwon, Chonbuk, Chonnam (1971, 1974) - Pusan, Kyongbuk, Kyongnam, Jeju (1972)	Separate areas for survey by 3-year periods - First: 1970-1972 - Second: 1973-1974
1975-1982	1 200	"	- Large city•province (excluding Jeju)	The survey became nationwide from 1975
1983-1986	1 000	1982 report of settled population survey	"	"
1987-1992	2 000	1985 list of names for census	"	In 1987, the number of households was 1 000
1993-1995	2 000	1990 list of names for census	Large city•province	

200. Since the Health Promotion Act was enacted and implemented in 1995, article 70 of the Food Safety Act was deleted. Also, the National Nutrition

(Health) Surveys will continue to be conducted every three years under article 16 of the Health Promotion Act, starting in 1998, with a reform of the sample population, items examined and management system for the examination. The objectives of this survey are to devise national health promotion policies and national nutrition goals by evaluating food intake, health-related behaviour and health examination results. According to the previous reports from the National Nutrition Survey, the data on yearly change in the average food intake for each food group, the comparison of the average food intake for each food group per capita per day by area, the yearly change in nutrient intake, the comparison of the average nutrient intake per capita per day by area, the adjusted nutrient intake as a percentage of recommended dietary allowance (RDA) for adults, and the comparison of body mass index (BMI) for subjects 20 years of age and older by sex are as follows.

Table 26: Yearly change in the average food intake for each food group (nationwide, per capita per day)

(unit: g)

Food group	*1969*	*1979*	*1989*	*1995*
Total	1 055	1 004	1 016	1 101
Subtotal plant foods	1 024	885.5	824.9	871
Proportion of plant food (%)	97.0	88.2	81.2	79.1
Cereals and grain products	558.8	478	354.9	308.9
Legumes and their products	24.9	34.9	55.5	34.7
Potatoes and starches	75.6	26.9	55.3	21.2
Vegetables	271	288	223.9	286.2
Fruits	48.1	27.8	77.6	146.0
Seaweeds	0.8	2.7	7.2	6.6
Seasonings•Beverages	41.0	23.3	35.5	47.6
Oils and fats (vegetable)	-	3.9	4.8	7.5
Others	3.5	0.0	10.1	11.9
Subtotal animal foods	32	118.5	191.1	230
Proportion of animal food (%)	3.0	11.8	18.8	20.9
Meat, poultry and their products	6.6	26.0	45.3	67.7
Eggs	4.2	12.8	18.5	21.8
Fish and shellfish	18.2	69.3	74.0	75.1
Milk and dairy products	2.4	10.4	52.9	65.6
Oils and Fats (animal)	-	0.0	0.4	0.1
Others	0.6	0.0	0.0	-

201. It can be seen from the table above that the proportion of animal food intake has increased, whereas the proportion of plant food intake has decreased.

Table 27: Comparison of food intake per capita per day for each food group by area, 1995

(unit: g)

Food group	*Area*				
	Nationwide	*Urban area*			*Rural area*
		Urban average	*Large city*	*Small city*	
Total	1 100.9	1 122.1	1 139.7	1 098.2	990.0
Subtotal plant foods	870.6	875.5	884.3	863.3	845.7
Proportion of plant food (%)	79.1	78.0	77.6	78.6	85.4
Cereals and grain products	308.9	308.1	311.2	304.0	313.3
Potatoes and starches	21.2	21.9	21.5	22.5	17.5
Sugars and sweets	3.6	3.7	3.6	3.7	3.3
Legumes and their products	34.7	35.9	36.5	35.1	28.4
Seeds and nuts	2.0	2.1	2.0	2.2	1.5
Vegetables	286.2	282.1	287.9	274.3	308.0
Fungi and mushrooms	2.2	2.3	2.8	1.7	1.8
Fruits	146.0	150.9	149.2	153.1	120.6
Seaweeds	6.6	7.2	7.3	6.9	3.4
Beverages	18.0	19.9	22.4	16.5	7.8
Seasonings	29.6	28.9	28.1	30.0	33.0
Oils and fats (vegetable)	7.5	7.8	8.1	7.4	5.9
Others	4.1	4.7	3.7	5.9	1.2
Subtotal animal foods	230.3	246.6	255.4	234.9	144.3
Proportion of animal food (%)	20.9	22.0	22.4	21.4	14.6
Meat, poultry and their products Eggs	67.7	71.8	72.2	71.2	46.1
Fish and shellfish	21.8	23.2	24.6	21.4	14.5
Milk and dairy products	75.1	78.3	77.6	79.3	57.8
Oils and fats (animal)	65.6	78.2	80.8	63.0	25.9
	0.1	0.1	0.2	0.0	0.0

202. The above table shows that the amounts of total food intake and animal food intake are less in rural areas than in urban areas.

Table 28: Yearly change in nutrient intake (nationwide, per capita per day)

Nutrient	*1969*	*1979*	*1989*	*1995*
Energy (Kcal)	2 105	2 098	1 871	1 839
Protein	65.6	69.6	75.3	73.3
(Animal) (g)	(7.6)	(22.2)	(29.8)	(34.7)
Fat	16.9	26.5	27.9	38.5
(Animal) (g)	(5.7)	(10.6)	(10.5)	(18.0)
Carbohydrate (g)	423	395	323	295
Calcium (mg)	444	699	498	531
Iron (mg)	24.8	12.4	22.2	21.9
Vitamin A (IU)	1 400	1 324	1 657	443 c/
Thiamin (mg)	1.76	1.31	1.15	1.16
Riboflavin (mg)	1.28	0.93	1.18	1.20
Niacin (mg)	27.8	21.3	19.5	16.7
Ascorbic acid (mg)	89.9	98.2	65.8	98.3
Proportion of animal protein (%) a/	11.6	31.9	39.5	47.3
Proportion of grain-derived energy (%) b/	85.9	77.4	66.5	61.2

a/ Proportion of animal protein (per cent) = animal protein/total protein × 100.

b/ Proportion of grain-derived energy = grain-derived energy/total energy × 100.

c/ Unit of vitamin A is RE (retinol equivalents).

Table 29: Comparison of the average nutrient intake per capita per day by area

Nutrient	*Area*				
	Nationwide	*Urban area*			*Rural area*
		Urban average	*Large city*	*Small city*	
Energy (Kcal)	1 839	1 861	1 884	1 837	1 711
Protein	73.3	75.2	75.5	74.7	64.0
(Animal) (g)	(34.7)	(36.7)	(36.8)	(36.6)	(25.0)
Fat	38.5	40.3	41.2	39.1	28.5
(Animal) (g)	(18.0)	(19.0)	(19.5)	(18.3)	(12.2)
Carbohydrate (g)	294.5	294.9	297.4	291.3	293.4
Calcium (mg)	530.9	544.6	557.2	527.6	458.4
Iron (mg)	21.9	22.2	22.3	22.0	21.3
Vitamin A (RE)	443.0	461.7	471.6	448.4	345.3
Thiamin (mg)	1.16	1.17	1.19	1.18	1.06
Riboflavin (mg)	1.20	1.24	1.27	1.21	1.03
Niacin (mg)	16.7	17.0	16.7	17.3	14.9
Ascorbicacid (mg)	98.3	99.3	99.8	98.5	92.3
Phosphorus (mg)	1 040	1 065	1 077	1 054	911
Crude fiber (g)	7.1	7.0	6.8	7.2	7.6
Ash (g)	21.9	22.0	22.0	21.6	22.9
Proportion of animal protein (%)	47.3	48.8	48.7	49.0	39.1
Proportion of grain-derived energy (%)	61.2	60.3	60.3	60.2	66.7

203. The energy, animal protein, fat, calcium, and vitamin A intake are less in rural areas than in urban areas.

Table 30: Adjusted nutrient intake as per cent of RDA for adults, 1995 a/

Nutrient b/	*Energy (kcal)*	*Protein (g)*	*Calcium (mg)*	*Iron (mg)*	*Vitamin A (R.E)*	*Thiamin (mg)*	*Riboflavin (mg)*	*Niacin (mg)*	*Ascorbic acid (mg)*
RDA Male	2 500	75	700	12	700	1.30	1.60	17.0	55
Female	2 000	60	700	18	700	1.00	1.20	13.0	55
Intake	2 215	87.5	527.5	19.1	470.1	1.41	1.54	20.4	102.0
Proportion	88.6	116.7	75.4	159.5	67.2	108.8	96.0	119.8	185.4

a/ Because the sixth revision of the RDA for Koreans, announced in 1995, made a few changes in the levels of RDA for some nutrients in comparison to the previous levels (protein, 70g → 75g; calcium, 600mg → 700mg), the new RDA values for those nutrients were used for the 1995 report of the National Nutrition Survey.

b/ Compared to RDA, the intake levels of all nutrients except vitamin A are optimal.

Table 31: Comparison of BMI a/ for subjects 20 years of age and older by sex, 1995

BMI	Total		Male		Female	
	No. of subjects	Proportion	No. of subjects	Proportion	No. of subjects	Proportion
<15.0	7	0.2	3	0.2	4	0.2
15.0~17.0	49	1.1	13	0.6	36	1.5
17.1~20.0	731	16.1	252	12.0	479	19.6
20.1~25.0	2 820	62.1	1 437	68.4	1 383	56.7
25.1~30.0	862	19.0	378	18.0	484	19.9
30.1~35.0	61	1.3	11	0.5	50	2.0
≥ 35.1	8	0.2	6	0.3	2	0.1
Total	4 538	100.0	2 100	100.0	2 438	100.0

a/ BMI (body mass index) = body weight(kg)/height(m)2.
Criteria : ≤20 underweight, 20.1-25.0 normal, 25.1-30.0 overweight, ≥30.1 obesity.

Table 32: Yearly change in the mode of meals taken by subjects, 1995

Year	Total	Home	Boxed meal	School food service	Food service at work	Away from home	Meals skipped	Neighbourhood	Community centre for elderly, kindergarden, nursery school	No response
1992	100.0	75.3	6.7	0.8	3.0	9.0	3.3	1.9		
1993	100.0	71.6	5.4	1.2	4.3	10.6	4.6	2.4		
1994	100.0	70.6	5.4	1.2	4.0	11.9	4.8	2.0		
1995	100.0	69.8	3.6	1.6	4.2	13.4	4.9	1.8	0.6	0.1

204. While the proportions of meals that are taken at home and boxed meals prepared at home have gradually decreased, the proportions of meals taken away from home and meals taken through food services at school and the workplace have increased.

Table 33: Comparison of the kinds of meals consumed away from home by subjects, 1995

(unit : frequency)

Classification	Total		Male		Female	
	8 705	(%)	5 172	(%)	3 533	(%)
Korean style-gruel	64	0.7	30	0.6	34	1.0
Korean style with rice	6 095	70.0	3 871	74.8	2 224	62.9
Korean style one-dish meal	604	6.9	335	6.5	269	7.6
Noodles	433	5.0	213	4.1	220	6.2
Instant foods	291	3.3	149	2.9	142	4.0
Western style dishes	173	2.0	62	1.2	111	3.1
Western style one-dish meal with rice	138	1.6	70	1.4	68	1.9
Chinese style dishes	406	4.7	209	4.0	197	5.6
Others	501	5.8	233	4.5	268	7.6

205. Korean style meals with rice are the most preferred meals away from home.

Table 34: Comparison of the kinds of snacks and midnight meals consumed by subjects, 1995

	Snack (%)	*Midnight meal (%)*
Fruits	30.1	57.8
Dairy products	19.3	13.2
Soft drinks	23.8	8.1
Others (breads, cookies, chips, rice cakes)	26.8	20.9

206. That most consumed snack and midnight meal is fruit.

Table 35: Comparison of nutritional supplements used by male and female subjects, 1995

Classification	*Total*		*Male*		*Female*	
	Frequency	*Percent*	*Frequency*	*Percent*	*Frequency*	*Percent*
Total	884	100.0	430	100.0	454	100.0
Nutrient supplement	470	53.1	219	50.9	251	55.3
Tonic	150	17.0	88	20.5	62	13.7
Health foods	139	15.7	62	14.4	77	17.0
Others	125	14.1	61	14.2	64	14.1

207. Among the supplements, nutrient supplement are consumed the most.

208. The average food intake and nutrient intake of the Korean population is considered fairly good. Because of the increase in income levels, the consumption of cereals and grain products has decreased while the consumption of other foods has increased. Also, the consumption of plant foods has decreased while the consumption of animal foods has increased. In addition, while the proportion of total energy intake from carbohydrates has decreased, the proportion of total energy intake from animal protein and fat has increased. On the basis of BMI distribution, the proportions of those who are underweight or obese are higher for females compared to males. The frequency of meals taken at home has decreased, while the frequency of meals taken away from home or provided by school food services has increased. Among the kinds of meals taken away from home, Korean-style meals with rice are preferred the most.

209. Yearly health examinations for the elderly, who are considered nutritionally vulnerable, are carried out to detect health problems which are taken care of by medical treatment or medical counselling at home. Management records for infants and young children are kept at public health centres and used for counsel on an individual basis.

(d) Nutritional standards

210. In order to recommend optimal levels of nutrient intakes from foods through ordinary meals, the Korean Government publishes "Recommended Dietary Allowances for Koreans" every five years based on estimated physiological requirements for individual nutrients. The margin of safety and food intake status of Koreans is determined from a representative sample of each age group. Recommended dietary allowances for nutrients per day (sixth revision, 1995) are as follows.

Table 36: Recommended dietary allowances per day, 1995

Age	Weight (kg)	Height (cm)	Energy (kcal)	Protein (g)	Vitamin A (μg RE)	Vitamin D (μg)	Vitamin E (mg α-TE)	Vitamin C (mg)	Thiamin (mg)	Ribiflavin (mg)	Niacin (mg NE)	Vitamin B6 (mg)	Folate (μg)	Calcium (mg)	Phosphorus (mg)	Iron a/ (mg)	Zinc (mg)
Infants																	
0-4 (month)	6.0	69	650	20	350	10	3	35	0.3	0.4	5	0.3	40	500	380	6	5
5-10	9.1	71	850	25	350	10	4	35	0.4	0.5	6	0.5	50	500	420	10	5
Children																	
1-3(yr)	13.3	91	1200	30	350	10	5	40	0.6	0.7	8	0.6	80	500	500	10	10
4-6	18.5	108	1600	40	400	10	6	40	0.8	1.0	11	0.8	100	600	600	10	10
7-9	26.6	126	1800	50	500	10	7	40	0.9	1.1	12	1.0	150	700	700	12	10
Male																	
10-12(yr)	37	142	2200	60	600	10	8	50	1.1	1.3	14	1.2	200	800	800	12	15
13-15	50	159	2400	70	700	10	10	50	1.2	1.4	16	1.4	200	900	900	18	15
16-19	63	172	2600	80	700	10	10	55	1.4	1.6	18	1.6	250	900	900	18	15
20-29	66	172	2500	75	700	5	10	55	1.3	1.5	17	1.5	250	700	700	12	15
30-49	67	170	2500	75	700	5	10	55	1.3	1.5	17	1.5	250	700	700	12	15
50-54	67	168	2400	75	700	10	10	55	1.2	1.4	16	1.5	250	700	700	12	15
65-74	64	167	2000	70	700	10	10	55	1.0	1.2	13	1.5	250	700	700	12	15
75	60	166	1800	70	700	10	10	55	1.0	1.2	13	1.5	250	700	700	12	15
Female																	
10-12(yr)	36	142	1900	60	600	10	8	50	1.0	1.2	13	1.2	200	800	800	18	12
13-15	48	155	2000	65	700	10	10	50	1.0	1.2	13	1.4	200	800	800	18	12
16-19	54	160	2100	65	700	10	10	55	1.1	1.3	13	1.5	250	800	800	18	12
20-29	53	160	2000	60	700	5	10	55	1.0	1.2	13	1.5	250	700	700	18	12
30-49	55	158	2000	60	700	5	10	55	1.0	1.2	13	1.5	250	700	700	18	12
50-54	57	157	2000	60	700	10	10	55	1.0	1.2	13	1.5	250	700	700	12	12
65-74	54	154	1700	60	700	10	10	55	1.0	1.2	13	1.5	250	700	700	12	12
75	51	152	1600	60	700	10	10	55	1.0	1.2	13	1.5	250	700	700	12	12
			+150	+15	+0	+5	+0	+15	+0.3	+0.3	+1	+0.5	+250	+300	+300	+8	+3
			+350	+15	+100	+5	+2	+15	+0.4	0.4	+2	+0.5	+250	+300	+300	+12	+3
Lactation			+500	+20	+300	+5	+3	+35	+0.5	0.6	+5	+0.6	+100	+400	+400	+2	+7

a/ If the RDA for iron is not provided by foods, iron supplements may be taken.

211. On average, the nutrient supply and intake of Koreans are fairly good. As income levels increase, the consumption of cereals and grain products decreases and the consumption of meat, poultry and milk and dairy products increases. The proportion of total energy intake from energy-producing nutrients is also expected to change; that is, the proportion of total energy intake from carbohydrates will decrease while the proportion of total energy intake from animal protein and fat will increase.

212. While the improvement of nutritional status prolongs life expectancy, it also brings about increases in morbidity and mortality due to chronic degenerative diseases. In response to this, the Government has stepped up its publicity on proper diets and the maintenance of an optimal nutritional status through various mass media and has made schools include nutrition education in their curriculums.

4. Application of technical and scientific knowledge to secure the right to sufficient food

213. Research on technical and scientific knowledge relating to foods is explained in detail in paragraphs 246 to 250 of the initial report on the Covenant.

5. Publicity activities for nutritional information

214. In order to change dietary patterns through the spread of health information, 30 registered dieticians at 26 public health centres carried out projects for nutritional improvement, such as nutrition counselling, nutrition education, guidance of mass feeding, instruction of dietary management classes, examinations of the nutritional status of local populations, etc. from the latter half of 1994 to the end of 1996.

215. A food intake survey was conducted in the communities participating in the Pilot Nutrition Survey Project for 20 days from 1-20 November 1996. Thirty households were selected from each of the 26 public health centre areas, for a total of 780 households. The results of the survey are now being used for the nutritional education of the communities.

216. From July 1994 to October 1996, 15 food components, including energy, protein and fat, were reanalysed using the 600 most consumed foods in order to complement the food composition table, which provides the basic data for national nutrition improvement projects.

217. Under article 22 of the enforcement ordinance of the Health Promotion Act, the governor of a province or the mayor of a city or the chief of a county or district can appoint a dietician, physician or nurse to be a nutrition supervisor for carrying out nutrition guidance (for infants, young children, pregnant and lactating women, and adults), nutrition counselling, nutrition publicity and nutrition assesment. By the end of March 1997, licences had been issued to 69,277 dieticians of whom 10,360 were carrying out nutrition-related work in various areas of society, including industries, schools, hospitals, social welfare facilities, catering companies and research and education institutes.

218. Publicity activities for desirable nutrient intake are described in detail in paragraphs 251-253 of the initial report on the Covenant.

219. Nutrition policy in the future will be focused on education and publicity to improve the diets of the community, specifically through nutrition projects carried out by public health centres. These policies will be revised continuously and systematically by carrying out research on food analyses, national nutrition (health) surveys, recommended dietary allowances, etc.

6. Overall housing conditions

220. The housing supply ratio at the end of 1990 was the same as mentioned in under paragraphs 262 and 263 in the initial report on the Covenant.

221. With the housing supply ratio increasing to 92 per cent at the end of 1997 and housing prices stabilized, the housing situation is now considered relatively stable.

Table 37: Annual housing construction and changes in prices

	1989	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*
Sale price (percentage increase)	14.6	21.0	-0.5	-0.5	-2.9	-0.1	-0.2	1.5	2.0
Chonsei price (percentage increase)	17.5	16.8	1.9	7.5	2.4	4.6	3.7	6.5	0.8
Housing construction (thousand units)	462	750	613	575	695	623	619	592	596

7. Housing conditions of the poor

(a) Homeless individuals and families

222. Homeless people are housed in social security facilities in accordance with the Livelihood Assistance Act, enacted on 30 December 1961. As of June 1997, 13,000 had been housed. Families who are unable to make a living were designated as Residential Protection Target Groups by the law. They constitute 1.8 per cent of the total 10,583,000 households, 187,000 for whom the Government provided 190,000 units of Permanent Rental Housing). In the Residential Protection Target Groups, 33.2 per cent (62,000 households) are homeowners, 25.1 per cent (47,000 households) are living in Permanent Rental Housing, and 41.7 per cent (78,000 households) are living in private rental housing.

(b) Number of people who are paying excessive housing expenses

223. At of the end of 1990, households were spending 9 per cent of their total expenditure on average for housing. The Government designates people who have difficulties in paying for their homes as Residential Protection Target Groups or Self-Support Protection Target Groups, in accordance with the Livelihood Assistance Act, as previously mentioned. Residential Protection Target Groups are given an average of 133,000 won per month for each person for living costs (including housing expenses).

(c) Guarantee of the right to adequate housing for displaced and homeless people

224. A general statement about the efforts to guarantee the right to adequate housing for homeless people who are displaced due to urban redevelopment is made in paragraphs 269 and 288 of the initial report on the Covenant.

225. Under the provision of article 27 of the Urban Renewal Act, developers may not start any redevelopment work unless they secure the provision of adequate accommodation for residents who are to be displaced by the redevelopment, either by providing them with temporary accommodations in or outside the area or by taking appropriate measures, such as the provision of housing loans equivalent to the temporary accommodations.

226. For providing temporary accommodations, developers can use, temporarily, land or properties owned by the State, public bodies and individuals. The State and local governments shall not reject developers' applications for the temporary use of their land and properties. Upon the developers' application, the Government will lend public land or properties free of charge for temporary use.

227. According to article 4 of the Urban Renewal Act and article 11 of its Enforcement Ordinance, the authorities concerned should formulate plans for the improvement of existing buildings when they designate certain Urban Redevelopment Areas. Municipal and provincial ordinances prescribe that the authorities shall establish plans to provide public rental housing to tenants residing in houses to be cleared at the time of designation of redevelopment areas. Tenants who do not want public rental housing are payed a certain amount for housing expenses in accordance with the Special Act Regarding Land Acquisition for Public Use and Compensation.

8. Major policy measures to secure the right to adequate housing

228. Major policies to secure the right of people to adequate housing include the expansion of the provision of public rental housing and the promotion of housing redevelopment and housing improvement projects.

(a) Provision of public rental housing

229. According to the Population and Housing Census of 1995, Korea has a total of 1,296,000 households. Of these, 53.3 per cent (691,000 households) are homeowners while the remaining 605,000 are tenant households. The major type of lease contract is chonei (rent with a deposit) which is adopted by 64.6 per cent of tenant households; the other tenants mostly rent by the month.

230. The Government established the "Two Million Unit Housing Construction Plan" for the five-year period 1988-1992. With the start of this plan, the Government expanded the provision of public rental housing year by year and constructed Permanent Rental Housing. This helped to stabilize housing prices and rents, which had shown a rapidly rising trend until the end of the 1980s. The stabilization of prices and rents seems to indicate that the construction of public rental housing has contributed to the stabilization of the housing

situation for low-income households. Accordingly, the Government is now providing various incentives and support to promote the provision of rental housing, including a reduction or exemption from taxes, loans from the National Housing Fund, and priority provision of land development by public agencies. The Government will continue to increase steadily the support for rental housing.

231. Rental housing in Korea is divided into two categories: public rental and private rental housing. Public rental housing is built with financial support from either the central or local governments or loans at subsidized interest rates from the National Housing Funds. Private rental housing is built without such public financial support. Public rental housing began to be provided under the Rental Housing Promotion Policy, adopted in 1982, and its construction was accelerated when the Rental Housing Construction Promotion Act was enacted in 1984. By 1997, 962,000 units of rental housing had been constructed. This accounts for 13 per cent of the total units constructed during the same period (7,243,000 units).

Table 38: Rental housing construction (as of 31 December 1997)

(Unit: thousand)

Total (1982-1997)	*For-sale housing*	*Rental housing*				
		Subtotal	*Long-term lease (1982-1991)*	*Permanent rental (1989-1992)*	*Public rental (1992-1997)*	*Rental for Company Employees (1990-1997)*
7 243	6 281	966	301	190	402	73

232. The construction of rental housing reached its peak in 1990 when Permanent Rental Housing was constructed in large quantities, but slowed down soon after. It was only after 1994 that the trend turned around again.

Table 39: Trend in rental housing constuction

(thousand units)

Years	*1982-1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*Total*
Units	265	144	76	63	41	75	82	111	109	862

233. Governmental support for rental housing is broadly classified into three categories: loans from the National Housing Funds; provision of land by public development agencies; and reduction or exemption from taxes.

234. First, concerning the National Housing Funds (NHF), loans up to 23 million won for a unit are provided on a long-term and low-interest basis. The houses built with NHF loans must have a floor area of 60 m^2 or less and be approved by the authorities to be used for rental purposes for more than five years. The NHF provide loans not only to public bodies, such as local governments and the National Housing Corporation, but also to private housing developers. This fund has been the most important financial source for the construction of public rental housing. Loans for rental housing accounted for 11.6 per cent of the total amount provided by the NHF in 1993. In 1996, the figure increased to 31.8 per cent as the Government increased both the amount of loans per unit and the

number of units to be financed from the Funds; a steady increase in the financial support is expected.

235. Second, public land developers must allocate more than 20 per cent of the developed land for the construction of rental houses with a floor area of 85 m^2 or less at prices 10 per cent lower than that of land to be sold for housing. Before 1996, such low-priced land was provided for rental houses with a floor area of 60 m^2 or less, and the price of land for rental housing was the same as that for small-sized, for-sale housing. Financial support for rental housing from the Funds has thus been expanded, and a further relaxation of the terms of loans is expected.

236. Third, for rental housing, the acquisition tax, the property tax and the transfer tax are either reduced or not applicable. When rental housing lessors, as defined in the Rental Housing Act, build for themselves or purchase five or more housing units built by other builders with 60 m^2 or less in floor space for rental purposes, the acquisition tax and the registration tax are not levied. If the floor area of each of the five or more rental units is no larger than 85 m^2, the aggregate land tax is imposed separately at the rate of 0.3 per cent and the property tax is reduced by half. For permanent rental houses with a floor area of 40 m^2 or less, both the aggregate land tax and property tax are not levied. When someone operates more than five units of 85 m^2 or less for rental purposes for five or more years, the transfer tax is reduced by half, and when he or she operates the units for more than 10 years, the transfer tax is not levied at all.

237. Since 1990, more than 600,000 units have been constructed annually. As a result, the housing supply ratio has improved considerably. This helped stabilize house prices and thus, more and more people preferred rental housing to outright ownership. As a result, unsold new houses began to accumulate, with 158,000 units unsold as of October 1995.

238. To relieve the shortage of land for rental housing, the Government amended the regulations governing land provision. When public agencies develop land for housing, no less than 20 per cent of the developed land must be allocated for public rental housing. Also, land prices were cut by 10 per cent, from the existing rate of 80-90 per cent of the cost to 70-80 per cent. When the land initially provided for for-sale housing is converted into small-sized rental housing, the housing developer is allowed to built 10 per cent more houses than originally permitted. The Government also amended the Rental Housing Act in such a way as to entitle rental housing developers to expropriate land, provided they are planning to build 100 or more rental units and buy 90 per cent of the land required.

(b) Renewal of housing

239. Improving of overcrowded and blighted urban housing areas is often difficult due to the lack of urban infrastructure, including roads, city water and sewerage, and also the inhabitants' inability to pay. Housing improvement and renewal projects aim at transforming these areas into more pleasant living environments by constructing new houses and roads.

240. The Government extensively revised the Urban Renewal Act and its Enforcement Ordinance in 1995. The revision introduces urban planning concepts

to promote housing improvements and renewal that had been inactive. A systematic framework was established to promote housing improvement and redevelopment in medium and small cities. More cities are now entitled to formulate urban renewal plans. Provinces and cities are allowed to formulate urban renewal plans and implement them whenever the appropriate officials (e.g. governors, mayors, county chiefs, etc.) find it necessary. The amendment also consolidated the power of city mayors and county chiefs to supervise housing redevelopment projects. In addition, certified public accountants are required to audit the accounts in order to prevent any irregularities in redevelopment projects.

241. Despite these institutional changes, there were still problems in the implementation of the projects, including heavier financial burdens on residents. Therefore, the Government amended the Urban Renewal Act and its Enforcement Ordinance again in 1997. In the past, it was not the obligation of local governments to construct public infrastructure for housing redevelopment projects. Residents themselves had to care for public utilities -- hence, the heavier financial burden on residents. The amendment made it the responsibility of the local government to provide roads 20 m wide or wider and city parks as defined by the City Park Act. This helps accelerate housing renewal projects by reducing the people's financial burden.

Table 40: Housing redevelopment projects

(As of 31 December 1997)

	Number of districts	*Area (thousand m2)*	*Houses to be demolished (buildings)*	*Housing units to be built*
Total	346	15 502	128 797	270 703
Completed	195	6 742	55 343	88 736
Under development	107	7 162	58 537	153 158
Planned	44	1 598	14 915	28 809

(c) Improvement of housing environments

242. The urban poor live in blighted areas with substandard housing and insufficient urban infrastructure, such as roads, city water and sewerage. However, it was difficult for the residents themselves to improve the housing conditions. They lacked financial resources due to their low incomes, and the physical conditions of their houses and settlements did not meet the standards required by official urban plans and building codes. These problems aggravated the poor quality of the living environments. The result was increasing frustration and a sense of alienation among low-income people. The National Assembly enacted "The Provisional Law for the Improvement of the Housing Environment of Urban Low-Income People" on 1 April 1989, and since then the Government has promoted housing and environmental improvement projects.

243. In the Housing Environment Improvement Projects, the Government provided State land and common land free of charge to developers and provides loans from the funds for public finance or the National Housing Funds. However, due to various regulatory obstacles, the progress was very poor. The Government thus created policies to promote the Housing Environment Improvement Projects. Backed

by public opinion, it pushed ahead with institutional improvements, including the amendment of the Provisional Law for the Improvement of the Housing Environment of Urban Low-income People and its Enforcement Ordinance. The amendment relaxed regulations governing the implementation of the Housing Environment Improvement Projects. For a place to be designated as a housing improvement district, its area had to be 600 pyong (1 pyong = 3.954 sq.ds.) or larger; this criterion was reduced to 300 pyong. The floor area of houses to be built had to be 18 pyong or less; this was increased to 25.7 pyong or less. Rebuilt houses were to be provided only to the original residents. This was also changed so that any surplus houses (that is, houses left over after allocations to original residents) can now be sold to outside people.

Table 41: Investment in housing environment improvement

(hundred million won)

	Total	*Up to 1996*	*1997*
Total	17 611	15 834	1 777
Improvement of substandard housing	7 916	7 237	679
(special loans from the public finance)	(3 113)	(2 799)	(314)
(loans from the National Housing Funds)	(4 803)	(4 438)	(365)
Provision of infrastructure	9 695	8 597	1 098

Table 42: Housing environment improvement projects

(As of 31 December 1997)

	To be designated		*Designated*		*Under improvement*		*Completed*	
	Districts	*Housing units*	*Districts*	*Housing units*	*Districts*	*Housing units*	*Districts*	*Housing units*
Total	502	163 000	467	125 100	347	101 800	61	12 300

Article 12. Right to physical and mental health

1. Trends in the national health status

244. Article 36 (3) of the Constitution of the Republic of Korea states that the health of all citizens shall be protected by the State. In line with the Constitution, the Korean Government has implemented various policies, such as the enactment of the Act on Establishment of Health Care Centres (1956) and its implementation, its revision of the Regional Public Health Act, a national population control policy, the reinforcement of communicable and non-communicable disease control programmes, enlargement of small water-supply systems, introduction of the National Medical Insurance Programme and the National Medical Aid Programme, enactment of the Special Act for Public Health in Rural and Fishery Areas, strengthening of primary health care services, improvement of food and drug safety, and expansion of personnel and facilities related to health care. As a result of these policies, Korean health standards have improved tremendously.

245. Life expectancy, the death rate and disease prevalence rates are used as health indices to assess the health standard of Koreans. Life expectancy, the

primary index for assessing the national health status, was 59.8 years for males and 66.7 for females in 1970, and increased to 69.6 for males and 77.4 for females in 1995.

246. The infant mortality rate, the most sensitive mortality index, was 51 per 1,000 in 1970 and it decreased to 9.9 in 1993. The communicable disease incidence rate decreased from 23.5 per 100,000 and decreased to 6.1 in 1997. The tuberculosis prevalence rate decreased from 2.5 per cent in 1980 to 1.0 per cent in 1995. The parasite (roundworm) infection rate decreased from 13 per cent in 1980 to 0.06 per cent in 1997. The safe delivery rate increased from 59.5 per cent in 1982 to 98.9 per cent in 1994 (which indicates that most deliveries are supervised by medical personnel). The number of medical personnel also rapidly increased and accessibility to medical facilities was improved. All these indices demonstrate the improvements in the national health.

2. Health policy

(a) Trends in health and medical policies

247. The trends and developments in Korean health and medical policies are explained in detail in paragraphs 345 to 352 of the initial report on the Covenant.

(b) Population policy

248. Since the 1960s, the Government has implemented the population policy as an integral part of the national development plan. As a result of the strong population policy, which focuses on fertility control, Korea succeeded in achieving a low growth and fetility rate. In the middle of the 1980s, the growth rate stayed under 1 per cent and the total fertility rate stayed below 2.1 per cent. The goal of the national plan was achieved earlier than the Government expected in the initial stage. The current population issues have shifted from quantity to quality; that is, the current problems include the rapidly increasing elderly population, an unbalanced sex ratio, unsafe abortions, and adolescent sexual and reproductive health problems.

249. To sustain the low fertility level and cope with the new emerging problems, the Government announced a new plan for population policy on 4 June 1996, which focused on the quality of life for the population instead of fertility control. The plan has given priority to the challenges of social policy: maintaining the total fertility rate at the replacement level, improving the national maternal and child health programme (MCH), correcting the unbalanced sex ratio, promoting adolescent sexual and reproductive health, expanding women's employment, and enhancing the social welfare and employment of the elderly.

250. The Government hopes to abolish the legal and institutional barriers that promote the unbalanced sex ratio and therefore established the "Korea Culture and Sex Research Centre" under the Planned Parenthood Federation of Korea based on the MCH Act. The Centre carries out research and programmes on sexuality and provides expert training courses in sex education for public health personnel. Trained health personnel carry out sex counselling and education in health centres.

(c) National maternal and child health programme

251. The MCH programme has been implemented in health centres as part of the public health programmes based on the MCH Act of 1973. In the 1980s, 89 MCH centres and 12 Comprehensive MCH centres were established in rural and fishing areas to provide pre- and post-natal care, delivery services and care of infants, thus promoting maternal and child health. Major MCH programmes under the government policy include free health examinations for pregnant women and infants of low-income families. To prevent risk factors, when women and infants are diagnosed to be in an abnormal condition at the first screening examination, they are referred for secondary examinations in provincial professional medical institutions designated by the Government.

252. Basic vaccination programmes for infants include DPT, MMR, rubella, polio and hepatitis-B. Since 1995, rubella vaccination has been given to first-year high school girls to prevent congenital rubella syndrome. The Standard Vaccination Guideline, revised on 12 March 1997, has been effective since 1998.

253. Since January 1997, all newborn babies receive free screening tests for congenital hypothyroidism and phenylketonuria to prevent mental retardation. From 1991 to 1996, only the newborn babies of low-income families were eligible for these tests. The Government has supplied special milk and treated babies of low-income families suffering from metabolic disease.

254. The Government strongly encourages civil organizations and medical and academic circles to promote breastfeeding. As part of the promotional measures, medical institution fees for inpatients staying with their newborn babies in the same room have been reimbursed by the National Health Insurance Programme since August 1994. The accomplishments of the MCH programmes implemented by public health institutions can be seen below:

Table 43: MCH programmes of public health institutions

(unit: 1,000 persons)

Classification	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*
1. Health check-up for pregnant women and infant	72	60	55	55	46	38
2. Screening test for inborn errors in metabolism	20	35	51	75	63	345
3. Vaccination for infants	3 593	3 571	3 484	4 359	4 329	14 668

(d) Disease Control Plan

255. The Disease Control Plan is divided into communicable disease control and noncommunicable disease control. Communicable diseases are subdivided into acute communicable disease, chronic communicable diseases and specific diseases, including sexually transmitted diseases (STDs). Communicable disease control is based on the Communicable Disease Prevention Act enacted on 2 February 1954, the Tuberculosis Prevention Act enacted on 16 January 1957 and the Acquired Immunodeficiency Syndrome (AIDS) Act enacted on 28 November 1987. There are 29 kinds of legally notifiable communicable diseases, including 8 diseases in

the first category which need to be reported immediately (e.g. cholera), 17 in the second category (e.g. malaria) and 4 in the third category (e.g. tuberculosis). Notifiable diseases are classified into three categories, mainly by the severity and communicability of the each disease.

(e) Acute communicable disease control

256. Improvements in the standard of living, a greater awareness of health promotion and the development of vaccines and therapeutic drugs have decreased the outbreaks of acute communicable diseases. Recently, however, the emerging infectious diseases (EID), such as tropical malaria and cholera, have appeared and appropriate care should be taken.

257. The control of communicable diseases first begins with the development of a surveillance system that monitors the prevalence of disease. Second, the reporting system of legal communicable diseases must be improved. Next, data on communicable diseases need to be well documented and managed. Finally, the clinical criteria in legal communicable disease reporting systems must be standardized.

258. The prevalence rate of communicable diseases was 6.1 per 100,000 people in 1997 compared with 3.7 per 100,000 people in 1996. Remarkably enough, malaria outbreaks have been increasing since 1994.

Table 44: Occurrence of acute communicable diseases

(unit: number of patients)

Disease	*1990*	*1994*	*1995*	*1996*	*1997*
Cholera	-	-	68	2	10
Salmonellosis	232	267	370	475	265
Shigellosis	13	233	23	9	11
Measles	3 415	7 883	71	65	2
Mumps	2 092	1 874	430	254	238
Japanese B encephalitis	1	3	-	-	-
Hemorrhagic fever with renal syndrome	106	132	89	118	104
Leptospirosis	140	7	13	6	4
Malaria		20	107	356	1 724

259. The reporting system under the Communicable Disease Prevention Act is the foundation of the Communicable Disease Surveillance System. In order to find the patients rapidly, a disease surveillance monitoring system is being established. Nationwide, approximately 23,000 people have been designated as surveillance monitors.

260. The epidemiological survey team pursues the etiological agent and takes measures to prevent and control the diseases. According to the scale of the

outbreak and the nature of the etiological agent, the central Government's epidemiology team or the provincial health centre will carry out the tasks.

261. In order to operate the immunization programme and evaluate the efficacy of the vaccines, standard immunization guidelines were established by experts in related fields. In 1997, influenza was designated as a communicable disease provisionally preventable by immunization.

262. In order to publicize the immunization programme, it is necessary to make use of mass media to inform the population about communicable diseases, including Japanese B encephalitis, hemorrhagic fever with renal syndrome, and malaria. To prevent these imported communicable diseases, the authorities concerned should pass information about the disease on to the related departments and travel agencies.

(f) Chronic communicable disease control

263. The chronic diseases under control are tuberculosis, leprosy, chronic active hepatitis B and parasitic infections. Since the 1960s, the Government has continuously carried out a tuberculosis eradication programme, including vaccination, patient follow-up and treatment. The five-yearly surveillance controls for tuberculosis have shown that the prevalence rate was 5.1 per cent of the population over five years old in 1965, but only 1.0 per cent in 1995, and the bacillus-positive prevalence rate decreased from 0.94 per cent to 0.22 per cent. In the light of the prevalence rate and the number of patients, the ratio is still somewhat high compared with other developed countries.

264. On the basis of accumulated diagnostic techniques achieved through tuberculosis eradication programmes and the expansion of hospital facilities, more effective tuberculosis control (e.g. a prevalence rate of 0.4 per cent, similar to that of advanced countries), is targeted for the year 2000. In order to accomplish this programme, it is necessary to expand BCG vaccination, detect the disease early, and publicize the programme.

265. The prevalence rate of leprosy has markedly decreased from 27,628 people in 1981 (prevalence rate 0.71 per cent) to 20,224 in 1997 (prevalence rate 0.44 per cent). This decrease is due to the active participation of provincial institutions and medial personnel in the Leprosy Eradication Programme. In the future, 23 leprosy control teams will conduct the programme. The support for the leprosarium will be increased and it will help the patients to be independent.

266. Sexually transmitted disease (STD) control begins at the time of the positive result and ends in complete treatment. The etiological agents of STD are so clear that they can be eliminated by preventing transmission to others. Under article 8 (2) of the Communicable Disease Prevention Act and the Health Diagnosis Regulation, regular diagnosis and counselling are being provided by medical personnel.

(g) Acquired immune deficiency syndrome (AIDS) control

267. The first AIDS case in Korea was reported in December 1985 and as of March 1998, 104 people among the total of 776 HIV-infected patients have developed AIDS and 102 of them have died. The Korean Government established the AIDS

Prevention Act in November 1987. Since then, the Government has been trying to prevent transmission and provide care for the patients.

Table 45: Occurrence of HIV infection

	Total	*1985-1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*Remark*
Total number of infection	776	245	78	90	108	102	124	29	
Male	678	218	71	78	89	90	107	25	
Female	98	27	7	12	19	12	17	4	
Number of patients	104	10	6	11	145	22	33	8	Death : 102 Living : 2

(h) Noncommunicable disease control

268. It is estimated that 2.16 per cent of the Korean population (990,000 people) was treated for mental disorders during 1997. In December 1997, there were 28,551 psychiatric beds (0.62 psychiatric beds per 1,000 people). If psychiatric asylums are included, there were 46,523 psychiatric beds (1.01 beds per 1,000 people). In 1996, about 295.3 billion won were spent on the treatment of mental disorders, equivalent to 3.7 per cent of the total medical expenditure for Korea.

269. Mental illnesses are expected to increase due to the recent marked changes in the socio-economic environment and the demographic/family structures. The Government is therefore developing a long-term service system plan for national mental health. According to the Mental Health Act legislated in 1995, the main direction of mental health policy has been changed from long-term hospitalization to community mental health programmes, and the Korean Government has been developing a community mental health service system that prevents mental illness and detects, treats and rehabilitates mentally ill patients in the community.

270. Due to the improvements in living conditions, nutrition and treatment methods, the recent epidemiological profile of Korea shows that the mortality rate from communicable diseases has been decreasing sharply while the mortality rate from chronic-degenerative diseases has been increasing. These changes in the epidemiological profile have been caused by rapid economic development during the past three decades. It is anticipated that this tendency will be more pronounced because of the aging population, changes in dietary habits, an increase in the smoking population, and a decrease of physical activities. The crude mortality rates (per 100,000 people) for major chronic diseases in 1996 were 111.9 for malignant neoplasm, 74.7 for cardiovascular disease, 13.8 for hypertensive disease, 27.3 for chronic liver disease and 17.4 for diabetes mellitus.

271. The National Cancer Centre in Korea will be established by 2000 and will carry out the national cancer control programme, including the prevention, screening and treatment of cancer. In addition, the Korea Heart Foundation has received about 800 children with heart disease each year.

(i) Parasite controls

272. The infection rate of intestinal parasites decreased from 3.8 per cent to 2.4 per cent (national surveys in 1992 and 1997, respectively) mainly due to the improvement in the economy, living conditions and health education as well as the development of effective anthelmintic drugs.

(j) Food safety

273. Food safety in the Republic of Korea is controlled by the Food Sanitation Act enacted on 20 January 1962. There were 57,000 food manufacturing/processing businesses, 584,000 restaurants and 142,000 selling/transporting/treatment businesses as of June 1997. Food safety training, inspection and surveillance of subquality and adulterated foods, and safety control for imported foods are explained in detail in paragraphs 380 to 382 of the initial report on the Covenant.

(k) Drinking water management

274. Environmental pollution has been accelerated by industrialization and urbanization. The Republic of Korea manages drinking water under the Water Supply Act and the Drinking Water Management Act.

(l) Supply of safe water

275. Because of the increase in water pollution, the desire for clean water has increased continuously. Accordingly, the Korean Government supplies safe water through the increase in water supply facilities and the establishment of simplified water supply facilities at rural areas. At the end of 1996, the safe water supply rate was 91.4 per cent.

Table 46: Current status of drinking water supply

(As of the end of 1996)

Classification	*Total*	*Tap water*	*Small water supply system*	*Common drinking water facility (well water and so on)*
Number of facilities		649	26 134	-
Population using water supply (unit: thousand person)	46 426	38 823	3 634	3 969
Rate (%)	100	83.6	7.8	8.6

(m) Current status of operation of the environmental infrastructure

276. As of the end of 1996, about 15,310,000 tons of sewage were generated per day throughout the nation and 70 per cent of the sewage was treated in sewage treatment facilities.

277. As of the end of 1996, about 45,954 m^3 of nightsoil were generated throughout the country per day. The nightsoil from flush toilets is treated through sewage treatment facilities, septic tanks for each household and wastewater treatment facilities. In addition, because almost all the nightsoil

from conventional toilets is treated at regional nightsoil treatment facilities, 98 per cent of the nightsoil is treated on the whole.

278. As of the end of 1996, about 49,925 tons of waste per day (18,2 million tons per year, i.e. 1.1 kg/day/person) were generated throughout the nation and waste from industries produced about 130,648 tons per day. The amount of waste tends to increase continuously as the standard of living and production activity increase.

(n) Management of health resources

279. An abstract of medical and health personnel is provided in paragraphs 384 and 385 of the initial report on the Covenant.

280. In 1997, there were 564,000 licensed and registered medical personnel, of whom 218,000 people were actively engaged in medical and health services. The number of people per medical personnel is 644 per physician, 3,007 per dentist, 1,009 per pharmacist, 345 per nurse.

281. There has been a great increase in the number of medical facilities over the past decades. The number of hospitals and clinics has increased markedly from 314 hospitals and 11,440 clinics in 1980 and 637 hospitals and 22,574 clinics in 1991, to 837 hospitals and 29,935 clinics in 1996. The number of hospital beds has also greatly increased from 65,041 beds in 1980 and 143,305 beds in 1991, to 209,248 beds in 1996.

282. To cope with the dramatic increase in the demand for health care and make use of limited resources efficiently, the Government classified medical facilities into primary health care facilities, secondary hospitals and tertiary hospitals, and also established a nationwide localization system for medical services, including the delimitation of regions, the development of graded services and a patient referral system.

283. The Emergency Medical Treatment Act was enacted for patients who are in need of emergency care. Under the Act, general hospitals must have an emergency room with adequate personnel and equipment. These general hospitals and other hospitals can be categorized into emergency medical centres or emergency medical institutions according to evaluations by the Ministry. As of June 1998, there were 355 emergency medical centres and institutions. The notification and transportation of patients in emergencies are under the control of the "119 centre," which is under the Ministry of Government Adminstration and Home Affairs. Current emergency information centres under the Ministry of Health and Welfare will innovate functions focused on supplying information concerning the status of hospital beds and how to care for patients en route to the hospital.

284. The Government has implemented a pilot programme of hospital-based home health care since 1994 to bring emotional well-being to patients and utilize medical services efficiently. It also plans an Organ Transplant Act in order to regulate organ transplants efficiently.

(o) Community health care programme (primary health care)

285. To improve community health care services, the Government expanded primary health care facilities (i.e. local health centres under the Health Centre Act,

enacted on 13 December 1956 and revised in 1962). In December 1995, the Health Centre Act was replaced by the Community Health Act so that health centres can play a central role as life-long health care facilities for the public. In 1997, 847 doctors and dentists, including public doctors in 245 health centres, were in charge of community health care services.

286. In 1991, the Government revised a Special Act (enacted in 1980) so that doctors can serve as "public doctors" in needy areas as an alternative to military duty. Public doctors are deployed to health care institutions, health centres, health subcentres and even private hospitals in medically vulnerable areas, such as rural and fishery areas. In 1997, 1,958 public doctors were hired by 1,314 health subcentres.

287. Health care posts have been established in isolated villages in which the population is over 500 people (in case of islands, over 300 people) to carry out primary health care programmes. In 1997, 2,034 health practitioners in 2,034 healthcare posts provided health care, MCH, family planning, tuberculosis control and health education services to enhance primary health care and preventive health care services. The Government is working to strengthen the care and preventive functions of primary health care facilities through full budgetary support for the purchase of equipment for public health facilities, such as health centres, health subcentres and health posts.

288. Hospital ships have been in operation to provide health care services for island residents - five hospital ships and four speed boats for evacuation. For urban, low-income families living in poor conditions, the Government encourages the health centres to play a key role in the community prevention programmes.

289. Since 1994, the "Project for the Improvement of Health Care Services in Rural and Fishery Areas" has been implemented to improve the health care services and expand health care delivery systems. The Government subsidized 142.9 billion won to reform public health facilities, purchase medical equipment for 211 health centres/subcentres and improve medical instruments for 94 health centres. Furthermore, to provide quality secondary health care services for rural and fishery people, the Government has provided 114 billion won in long-term and low-interest loans to the private health sector to reinforce its facilities.

290. To improve the efficiency of health centres, the Government has implemented a management information system (MIS), including computerization and networking, since 1994. All nationwide health centres will be integrated into the MIS system by 2000.

(p) Pharmaceutical administration

291. The basic measures for the control of pharmaceutical manufacturing is explained in detail in paragraphs 390 to 392 of the initial report on the Covenant.

292. To summarize the progress so far, first, the application of the Korea Good Manufacturing Practice (KGMP), which systematically regulates the pharmaceutical manufacturing process, was made mandatory to prevent inferior products in manufacturing and distribution. Companies that do not conform to KGMP standards are not approved to sell new drugs. The Korea Food and Drug Administration

(KFDA) regularly inspects drug manufacturing facilities and carries out quality control inspections.

293. Second, any party wishing to manufacture pharmaceuticals must obtain a manufacturing licence from KFDA and have a suitably equipped facility. The registration of each pharmaceutical product with the KFDA is required for the manufacture and sale of pharmaceuticals.

294. Third, one of the measures in place to guarantee the safety and efficacy of pharmaceuticals is the drug re-evaluation project, which re-evaluates products which had previously met old standards, against new medical and pharmacological knowledge. According to the results of the re-evaluation, descriptions of the product's registration, such as amount of raw materials, efficacy, dose and precautions, can be changed. To collect information on drug side-effects, in January 1998 KFDA designated 4,073 monitoring agencies consisting of hospitals, clinics and pharmacies. Efforts are being made to prevent adverse drug reactions by gathering information from articles issued by WHO or professional magazines.

295. Clinical testing is the most critical procedure for new drug registration. To regulate the procedure, KFDA has enacted the Korea Good Clinical Practice (KGCP) and initiated a clinical test protocol for each group of drug since October 1995. To improve the safe use of new drugs, KFDA adopted the New Drug Re-examination System which requires submission of a clinical report for each new drug after it has been marketed for a certain period of time.

296. Measures to control over-advertisement and maintain fair sales practices are explained in detail in paragraphs 396 to 397 of the initial report on the Covenant.

(q) Measures against drug abuse

297. The pattern of drug abuse has varied according to the changes in the social environment of the Republic of Korea. Narcotics like opium and heroin were the most popular drugs during the early 1960s, cannabis in the 1970s, and methamphetamines (so-called philopone) during the late 1970s and 1980s. Sniffers of volatile substances, such as adhesives, organic solvents and gases, and abusers of general drugs which do not come under the control of drug regulations, such as dextromethorphan, have been found frequently since 1990.

298. Korea has taken measures over the past 43 years to deal with drug use. The Government enacted the Narcotics Act on 23 April 1957, the Cannabis Control Act on 7 April 1976, the Psychotropic Substances Control Act on 28 December 1979, and the Special Act Against Illicit Drug Trafficking on 6 December 1995. A unified control system was set up under these laws in the Ministry of Health and Welfare to prevent dangerous substances from being abused, and to reinforce law enforcement activities.

299. The policies against drug abuse are as follows. To reduce drug use through treatment and rehabilitation, 23 national or public mental hospitals have been designated as treatment and rehabilitation centres by KFDA which is responsible for the payment of costs and the supply of equipment. In addition, the Special Expertise Treatment and Rehabilitation Centre, which supports 200 beds, opened in December 1997. With a view to protecting human rights, the Government

proclaimed the Presidential Decree on Protection of Drug Addicts in Treatment and Rehabilitation. Under the decree, the Judgement Committee on Protection for Drug Addicts in Treatment was established to prevent the infringement of the human rights of drug addicts in medical facilities. The Committee, consisting of psychiatrists, lawyers and public officials, examines drug in-patients in order to guarantee and improve the human rights of these patients.

300. The Government has, to the best of its capability, been carrying out preventive programmes to reduce the demand for drugs, including showing films and video tapes at cinemas and on cable television networks to enlighten people about drug abuse and its effects, producing and distributing anti-drug posters, slogans, leaflets, booklets and slides, and having KFDA-trained counsellors and schoolteachers educate students. The Korean Anti-Drug Campaign Centre, a non-governmental organization, has been established to carry out drug prevention activities. The Government subsidized 90 million won in 1993 and 1994, 400 million won in 1995 and 1996 and 800 million won in 1997 to this centre. This support will be increased to promote civilian activities for drug demand reduction. Every year, inspections of licensed narcotic and psychotropic pharmaceutical manufacturers and distributors take place to ensure effective management methods and to check for the deviation of narcotic and psychotropic substances from licit to illicit traffic. Since international drug criminals have been expanding their networks, the Government recognizes the importance of cooperation and coordination at the national, regional and international levels to fight against drug trafficking. To this end, the Government has exchanged drug-related information with other countries and participated in international conferences and seminars on drug abuse control which promote international cooperation.

3. The public health budget

301. The budget for public health in 1995 was 629 billion won, which is 0.18 per cent of GNP or 1.26 per cent of the total governmental budget. The primary public health budget has also increased rapidly every year and in 1995 it was 283 billion won, which was 45 per cent of the public health budget.

Table 47: The public health budget

(million won)

Section	*1980*	*1985*	*1990*	*1995*
GNP	36 749 200	78 088 400	168 437 800	339 529 000
Central governmental budget	6 466 756	12 532 362	27 455 733	49 987 915
Public health division budget	46 933	112 960	396 883	629 147
Primary public health budget	46 520	105 857	160 612	283 181

4. Public health indicators

(a) Infant mortality rate

302. The infant mortality rate is used as an index to measure the health of infants, as well as living and cultural standards. The infant mortality rate in

Korea was 9.9 per 1,000 people in 1993, down from 12.5 in 1988. The decrease in infant mortality resulted from Korea's economic growth, mother and child health programmes, environmental improvements and national vaccination programmes.

(b) Immunization

303. The Government provides an annual basic vaccination programme to improve infant health. The following are the vaccination statistics for major infant communicable diseases:

Table 48: Vaccination statistics for major infant communicable diseases

(unit: thousand people)

	1991	*1993*	*1995*	*1997*
1. DPT	2 086	2 238	2 080	2 251
2. MMR	635	601	524	613
3. Polio	2 355	2 480	2 305	2 493
4. BCG	1 333	1 352	1 199	-

(c) Life expectancy

304. The average life expectancy in Korea was 73.5 in 1995, an increase of 10.3 years from the average life expectancy in 1970. Life expectancy in the year 2000 is expected to be 74.9.

Table 49: Life expectancy

(unit: years)

	1970	*1980*	*1990*	*1995*	*2000 (estimated)*
Total	63.2	65.8	71.6	73.5	74.9
Men	59.8	62.7	67.7	69.6	71.0
Women	66.7	69.1	75.7	77.4	78.6

(d) Accessibility to medical care facilities

305. In 1986, 80 per cent of the population (about 32,600,000 people) had access to medical personnel within an hour's travel by foot or automobile. By 1997, 245 health centres and 1,314 health subcentres had been established, along with 2,034 primary health care posts in rural and island areas.

(e) Safe delivery rates and maternal mortality rates

306. In 1997, the target population of the MCH programme for people aged 15-44, was 11,561,000 people or 25.1 percent of the total population (45.9 million). There are 73,000 pregnant women and 355,000 infants registered with health centres for the national MCH programme. The rest of the people are covered by

medical insurance or medical aid. It is estimated that most pregnant women are able to obtain health care services by professional health personnel.

307. The safe delivery rate in 1994 was 98.9 per cent (urban 99.4 per cent and rural 96.1 per cent), which is significantly higher than the 88.9 per cent rate in 1988. This is because most deliveries are now carried out by specialized personnel: 97.6 per cent of pregnant women received pre-natal care from professional medical facilities. The average number of pre-natal visits is 10 (urban 10.1 and rural 9.1).

308. In 1995-1996, the maternal mortality rate was 20 per 100,000 deliveries. It is anticipated that this rate will continue to decline.

(f) Specialized medical care for infants

309. Infant deaths come from premature birth, low birth weight and hospital infection. Therefore, the major measures for decreasing infant mortality are proper pre-natal services from the first stage of pregnancy, and diagnosis, treatment and improvement of nutrition for infants.

310. The Government is carrying out health education and regular health examination programmes for pregnant women. Infant health screening programmes during the sixth and eighteenth month of life are also conducted. When an infant is diagnosed to be in an abnormal condition, the child will be given a secondary close examination for appropriate health care services. The infant population targeted for government care was 2,072,000 or 48 per cent of the total population aged 0 to 5 in 1997. Other infants can utilize medical insurance or medical aid.

5. Health status of people in marginal areas

311. The health policy for remote areas is explained in detail in paragraphs 416 and 417 of the initial report on the Covenant. Recently, in an effort to provide community health for all socio-economic classes, the Government has implemented a "Pilot Project for Primary Health Care for Urban Low-income Families." These families are provided with infant vaccination, pre-natal care and contraceptive services.

312. About 2,000 leprosy patients, who reside in areas which are remote from medical facilities, are registered and taken care of in 90 settlement villages, at home and in institutions such as the National Leprosy Hospital on Sorok Island. Patients who have no one to support them can be accommodated in facilities such as the National Leprosy Hospital, and livelihood allowances are granted to elderly patients who lived in settlement villages.

313. Under the innovative health care delivery system, which includes health subcentres and health care posts, people who live in remote areas can access high-quality health care services and thus, their health status has been greatly improved. Current trends, including decreased infant mortality and increased life expectancy, are derived from these policies.

6. Measures for the environment

314. The Republic of Korea ensures environmental rights through article 35 of its Constitution, which states that "All citizens shall have the right to a healthy and pleasant environment. The State and all citizens shall endeavor to protect the environment. The substance of the environmental right shall be determined by the Act. The State shall endeavor to ensure comfortable housing for all citizens through housing development policies and the like."

315. In addition to the environmental acts described in paragraph 471 of the initial report on the Covenant, the following environmental acts have been legislated : the Act on the Promotion of Saving and Recycling of Resources (8 December 1992); the Environmental Impact Assessment Act (11 June 1993); the Development of and Support for Environmental Technology Act (22 December 1994); the Drinking Water Management Act (5 January 1995); the Soil Environment Conservation Act (5 January 1995); the Promotion of Installation of Waste Disposal Facilities and Assistance, etc. to Adjacent Areas Act (5 January 1995); the Act on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal (8 December 1992); the Special Account for Environmental Improvement Act (5 January 1994); the Air Quality Control in Underground Location Act (30 December 1996); the Inland Water Body Water Quality Management Act (28 August 1997); and the Special Act Relating to the Preservation of the Ecosystems of Island Regions such as Tokdo, etc. (13 December 1997)

316. As of December 1997, the environmental administration consists of the Ministry of Environment (MOE), four Environmental Management Offices, four Regional Environmental Management Offices, the National Institute of Environmental Research (NIER) (there are four Water Quality Research Labouratories and a Motor Vehicle Emission Research Labouratory under the NIER), the Central Environmental Disputes Coordination Commission, and the Environmental Officials Training Institute.

317. The Republic of Korea has implemented the Comprehensive Long-term Environmental Preservation Plan (1996-2005), also known as "Green Vision 21", and the Comprehensive Mid-term Plan for Environmental Improvement (1997-2001). By 2001, the Government will improve air quality to 0.01 ppm of SO_2 concentration and reduce motor vehicle emissions to 970,000 tons. It also plans to raise the sewage treatment rate to 65 per cent and the tap water supply rate to 90 per cent. Likewise, the Government implemented the Comprehensive Plan for Marine Pollution Prevention in 1996 to solve marine pollution.

318. The Government will strengthen air quality standards to comply with the WHO recommended standards and will strengthen water quality standards gradually. Also, the Government will expand examination items for drinking water quality from 45 items to 85 items. As an OECD member country, the Republic of Korea will also expand and strengthen examination items and standards for new toxic chemicals to OECD levels.

319. The Republic of Korea is making efforts to improve the participation of the people to solve environmental problems through public hearings. Also, the Government is trying to meet the needs of the people for environmental information through Internet services.

320. It is estimated that 32 trillion won, including financial resources from the private sector, will be needed to implement the Comprehensive Mid-term Plan for Environmental Improvement (1997-2001). This investment will be concentrated on both air and water quality improvement, waste management, marine conservation and development of environmental technology. To secure the necessary financial resources for the Mid-term Plan, the Government will use economic incentives, including the Environmental Improvement Charges, and attract private capital to help establish an environmental infrastructure.

7. Control of endemic and occupational diseases

321. Plans to counter endemic diseases are described in paragraph 431 of the initial report on the Covenant.

322. Measures against occupational disease control are explained in section 5 of this report.

8. The plan for medical expenses for the elderly

323. The plan for medical expenses is described in paragraphs 428 to 430 of the initial report on the Covenant.

9. Community participation in primary health care

324. Community participation in primary health care is described in paragraph 439 of the initial report on the Covenant.

10. Health education and promotion for the people

325. The Government enacted the National Health Promotion Act in January 1995. This act changed the direction of public health policy from immunization and treatment of infectious diseases to a health promotion system which includes the prevention of health risk factors and encourages healthy lifestyles to prevent chronic-degenerative diseases.

326. The content of the National Health Services Act explains the duty, responsibility and strategies to promote the welfare of citizens at both State and local levels. The Act also outlines plans to promote financial support for healthy lifestyles, anti-smoking and anti-alcohol campaigns, health education, nutrition-intake programmes, and dental-hygiene programmes.

327. Various efforts are being made to facilitate health education for employees of medical facilities. The content of the health education programme includes anti-smoking, anti-alcohol and healthy lifestyle campaigns, as well as prevention methods for infectious diseases, good nutrition habits, dental and public hygiene, and exercise habits that can improve the quality of health.

328. Health education and promotion centres provide further studies in the field of health education and the management of health education information, as well as the operation of health education and advertisement teams for the prevention of major diseases.

Article 13. The right to education

1. The ideology, system and policy of education

329. The fundamental educational ideology is described in paragraphs 502 and 503 of the initial report on the Covenant.

330. As of April 1997, the total number of students in the Republic of Korea represented one fourth of the total population, accounting for more than 11.5 million people. There are approximately 19,800 schools and 440,000 teachers. The support system for this educational community consists of the central Government, the Ministry of Education, the municipal, local and provincial (16 in total) offices of education, as well as numerous lower-level educational offices in cities and districts (181 in total).

331. The first step to ensure the right to education is free and compulsory primary education. The Republic of Korea has provided free and compulsory primary education since 1948. Constructive efforts are also being made to reduce over-sized classes and schools, develop more effective teaching-learning methodologies, introduce new educational engineering skills, and improve evaluation methods.

332. With respect to research and scholarships for education, the Republic of Korea has established and operates research institutions directly connected to the Ministry of Education. These institutions include the National Academy of Science, the Korean History Compilation Committee, the National Special Education Foundation, the Korean Education Promotion Foundation, the National Institute of Educational Evaluation, the Korean Job-Training Association, and the Korean Cultural Association. In order to fund university professors, academic groups and research institutions, the Republic of Korea has founded the Korea Research Foundation. Furthermore, education research institutions at the city and district level are also actively involved in educational research studies.

333. The Constitution of the Republic of Korea guarantees, by law, the autonomy of education and its separation from politics, and the autonomy of universities (Constitution, article 31, clause 4). The Constitution is the authority in determining the basis of the Korean educational system and its administration, while the bases of the educational curriculum and the status of teachers are determined by legislation (Constitution, article 31, clause 6). While the importance of education is acknowledged in the Constitution, the specifics concerning education are detailed in education-related by-laws, such as the Education Act, the Primary Education Act, the Secondary Education Act, the Private Education Act and others. Henceforth, the Government will continue to strive for the improvement and transformation of education.

334. The average number of years of schooling for a Korean citizen, by sex and age group, is indicated in the table below. During the past 20 years, the average number of years of schooling for Korean citizens has gradually increased. The continuously increasing educational opportunities during this time have helped to increase educational attainment for younger age-groups.

Table 50: Average number of years of schooling, by sex and age

(unit: one year)

Classification	*Average*	*6-19 years old*	*20-29 years old*	*30-39 years old*	*40-49 years old*	*Over 50 years old*
1970 total	5.74	5.33	8.32	7.15	4.83	1.98
Male	6.76	5.47	8.81	8.65	6.42	3.06
Female	4.72	5.21	7.48	5.64	3.36	1.09
1975 total	6.62	6.16	8.83	8.12	6.26	2.74
Male	7.61	6.26	9.25	9.33	7.90	4.02
Female	5.70	6.08	8.41	6.88	4.75	1.72
1980 total	7.61	6.53	9.88	9.17	7.52	4.16
Male	8.67	6.60	10.33	10.19	9.01	5.03
Female	6.63	6.10	9.44	8.10	5.95	2.25
1985 total	8.58	6.71	10.96	10.12	8.52	4.55
Male	9.66	6.71	11.34	10.93	9.88	6.49
Female	7.58	6.71	10.61	9.28	7.14	3.08
1990 total	9.54	7.74	12.03	11.09	9.52	5.53
Male	10.55	7.70	12.26	11.78	19.64	7.56
Female	8.58	7.79	11.81	10.37	8.35	3.92
1995 total	10.25	6.97	12.70	12.13	10.51	6.46
Male	11.18	6.74	12.70	12.69	11.39	8.52
Female	9.37	7.22	12.70	11.56	9.58	4.81

Source: The National Statistics Office, Koreas Social Index, 1997.

2. The right to education

(a) The opportunity for primary education

335. Free and compulsory primary education has been almost fully realized, as indicated in paragraphs 449-451 of the initial report on the Covenant.

336. The objective of primary education is to provide the basic education necessary for attaining the desirable qualities of citizenship. To achieve this goal, the basic primary curriculum includes ethics, Korean language, mathematics, social studies, natural science, physical education, music, fine arts, home management, English and extracurricular activities. The Seventh Curriculum, which is to be implemented in 2000, emphasizes the acquisition of basic habits and manners for first and second graders. The curriculum also encourages schools in the formulation of various activities and flexibility in time-management. These efforts are intended to help students better understand the world, cooperate with others, and develop the qualities of global citizenship.

337. In order to improve the nutritional intake of the students, school meal plans have been installed. There are two types of meal plans: the school-provided meal plan and the board of trustee-provided meal plan. In principle, the budget for school cafeterias is to be funded by the school founder/administrator, but a school meal-sponsoring association can assist in its funding. Similarly, the expenses for the operation of such facilities is to

be funded by the school founder/ administrator. However, a school meal-sponsoring association or a parents association can assist in funding the expense. The parents are to fund the expense for the cost of food. However, for primary school students who attend schools on islands, in isolated villages, farming and fishing villages, or are extremely poor in general, the government or local bodies provide the funding.

338. The funding for the board of trustees-provided meal plans are determined by the principal after taking into account the opinions of the parents and/or the school board. The parents are to fund the expense for the cost of food. However, for elementary school students and financially disadvantaged students, as in the case of school-provided meal plans, the Government or local bodies provide the funding (Law on School-provided Meal Plan, article 8, article 10, clause 3, School-provided Meal Plan Enforcement Act, article 7).

(b) The opportunity for middle school education

339. Students who have completed their primary education have the right, and the obligation, to attend middle school (Constitution, article 31, and Education Act article 8). However, the Government cannot provide free middle school education because it places immense burdens on the Government's budget. Therefore, since 1986, free middle school education has only been provided to students attending schools on islands and in remote villages. Since 1992, the Government has taken step-by-step measures to expand free middle school education to the district level.

340. As of April 1997, the percentage of primary school graduates who have gone on to middle school was over 99.9 per cent, and among middle school students, the percentage of those who received free and compulsory education reached 20.2 per cent.

341. Middle school education aims at building on the basics of primary education. Therefore, in addition to the 10 subjects taught in primary school, classes on home economics, mechanics, Chinese characters, computer skills, environment and foreign languages are also taught in middle schools. The Seventh Curriculum has been designed to meet contemporary social and cultural demands and allow more flexibility in providing elective subjects, such as Chinese characters, computer skills and foreign languages. An understanding of the various challenges in today's world, such as disease, poverty, famine, population and the environment, is also emphasized.

342. Middle school graduates can further their education by advancing to high school. The students are given the option of choosing between vocational high schools and general high schools. The percentage of middle school graduates who went on to attend high school reached 99.4 per cent in 1997, and the ratio between the number of students in vocational and general high schools is 41:59.

(c) System of scholarships

343. The Government and local bodies provide scholarship grants and other appropriate measures to fund students who have financial difficulties in attending high school (Educational Act, article 28). There are also various education by-laws that outline the standards and methods of granting scholarships.

344. Scholarship foundations, social organizations and philanthropists are the main sources of scholarship donations. Most noteworthy is the Korean Scholarship Foundation, which was established in 1989 with a government subsidy of 20 billion won (Korean Scholarship Foundation Act, 3 March 1989). As of 1997, the Foundation possessed 103.7 billion won, which were readily available for scholarships to students. Since high school education is not compulsory, free education is not applicable at this stage. However, various scholarships or tuition waivers are granted to students. The provision of scholarships for 1997 is shown below:

Table 51: Scholarships awarded at 1 April 1997

(As of 1 April 1997)

Classification	*Number of students*	*Number of recipients*	*Recipient percentage*	*Total scholarships awarded (won)*	*Awards per person (won)*
Middle school	2 180 283	101 653 (201 810) a/	4.7 9.3	13 273 633 (24 283 620)	130 578 (120 329)
Regular high school	1 376 688	76 245 (163 268)	5.5 11.9	21 756 052 (35 871 047)	285 344 (219 707)
Vocational high school	960 037	151 125 (182 274)	15.7 19	56 239 907 (43 528 347)	372 142 (238 807)

Source: Ministry of Education, 1997 Annual Report of Educational Statistics.

a/ Brackets indicate tuition exemption.

(d) Contents of education

345. High school education is built on the fundamentals of middle school education, with the purpose of achieving higher and specialized education. Thirteen subjects, including ethics, Korean language, Chinese characters, mathematics, social studies, natural sciences, physical education, drill exercises, music, fine art, home economics and business, foreign languages (secondary foreign language included) and optional academic subjects, are offered. Vocational high schools (including agricultural, engineering, commercial, fishery and maritime, and business high schools) and miscellaneous high schools (including science, physical education, fine arts, and foreign language high schools) have been established to provide specialization in various subjects.

346. The Seventh Curriculum indicates the need to encourage versatility and creativity among the young Koreans who will lead the age of globalization in the twenty-first century. Throughout 10 years of schooling, between the first year of elementary school to the first year of high school, the consistency of education is provided through a standard curriculum, while allowing students preferences and autonomy in time-management. Emphasis on environmental, career and humanities education throughout all subjects has especially strengthened. The curriculum has reflected the need for cooperation and further appreciation of international interdependence by emphasizing international understanding and teaching foreign languages.

347. Two types of vocational and technical education exist: one from vocational schools and the other from general high schools. The aim of vocational schools is to encourage the development of engineers and technical manpower needed for industry. The participation in vocational education is indicated below.

Table 52: Vocational education

(As of 1 April 1997)

Classification	*Number of schools*	*Number of students*
Agricultural schools	68	34 632
Engineering schools	261	360 125
Commercial schools	427	462 577
Fisheries and maritime schools	15	7 283
Total	771	864 617

Source: Ministry of Education, Korean Education Promotion Foundation, Statistics on Education, 1997.

348. Career and vocational education are provided in general high schools to students who seek employment after graduation or do not intend to pursue higher education. The content and method of career and vocational education in general high schools are aligned with those provided in vocational schools. As of March 1997, 21,731 students had received vocational training either in their own school, or in vocational and trade schools, engineering high schools, or skills training centres. In 1996, the percentage of students who received vocational education and found employment reached 89 per cent.

349. The High School Education Promotion Act (16 January 1967) and the Regulations for Implementing Compulsory Education in Middle Schools (21 February 1985) were passed in order to provide free middle school education for students who reside in rural areas and attend schools in relatively poor educational environments. Various scholarships are also available to students attending high schools in the circumstances mentioned. These provisions are intended to eliminate the discrepancy between educational conditions in rural and urban areas.

350. To support working students who cannot attend regular high schools due to financial reasons, alternative education which consists of air and correspondence high schools and classes attached to industries are available for young employees (Primary and Secondary Education Act, articles 51 and 52). The status of these institutions is indicated below:

Table 53: Educational system for working students

(at April 1997)

Classification	*Number of schools*	*Number of students*
Air & Correspondence high schools	42 (attached)	14 624
Schools attached to industries	20 a/	7 968
Middle school	1	12
High school	19	7 956
Night classes attached to industries	3 077	14 834
Middle school		17
High school		14 817

Resources: Ministry of Education, Statistics on Education 1997.

a/ The number of schools in this category represents the number of industries.

351. The Government highly encourages the establishment of non-formal educational institutions for juvenile delinquents and students who have difficulty adjusting to school life. Non-formal educational institutions and their complementary curriculum have been created to give students a second chance to make up for missed classes and meet the required quota of days in school for them to continue with their academic progress. The Government and local bodies are continuing to plan policies that can successfully carry out this programme (Primary and Secondary Education Act, article 28).

(e) Expenditures for education

352. In 1997, the expenditure for subsidizing secondary education (public education cost) was 4.61 trillion won (998.3 billion won for private education included) for middle school education, and 5.46 trillion won (2.43 trillion won for private education included) for a high school education, respectively. The total cost amounts to 10.69 trillion won. As of 1997, the cost of subsidizing public education in terms of primary and middle school education expenses per student is as indicated below.

Table 54: The cost of public, primary and middle school education, 1997

(unit: 1,000 won, current price)

Primary School			*Middle School*			*High School*		
Total	*Public*	*Private*	*Total*	*Public*	*Private*	*Total*	*Public*	
2 033.9	2 040.1	1 637.6	2 072.5	2 168.5	1 762.3	2 500.1	3 086.1	. 773.3

Source: Ministry of Education, Korean Education Promotion Association, Looking at the Path of Korean Educational Progress Through Statistics, 1997.

(f) Opportunities for higher education

353. There are many opportunities for higher education in the Republic of Korea. As of 1997, the percentage of high school graduates who enter universities was 60.1 per cent. The percentage of students who enter higher educational institutions from the age range 18-22 years old is 68.8 per cent. Notably, the number of students enrolled in higher educational institutions has risen from 1.6 per cent of the total population in 1980 to 5.71 per cent in 1997. Statistics concerning higher educational institutions are indicated below:

Table 55: Higher educational institutions

(as of 1 April 1997)

Classification	*Total*		*Public School*		*Private School*	
	No. of schools	*No. of enrolled students*	*No. of schools*	*No. of enrolled students*	*No. of schools*	*No. of enrolled students*
University	150	1 368 461	26	334 428	124	1 034 033
Univ. of education	11	20 948	11	20 948	-	-
Open university	19	141 099	8	7 0 918	11	70 181
Air and Correspondence University	1	370 879	1	370 879	-	-
Junior college	155	724 741	11	24 827	144	699 914
Total	336	2 626 128	57	822 000	279	1 804 128

Source: Ministry of Education, Korean Education Promotion Foundation, Annual Statistics on Education, 1997.

354. In 1996, the public expenditure for subsidizing higher education in national and public universities was 1.54 trillion won, and 5.36 trillion won for private universities, for a total of 6.9 trillion won. In 1997, the annual cost for a student to attend a higher educational institution such as a two-year junior college was 2.9 million won, 5.8 million won for a four-year university of education and 5.3 million won for a four-year university.

355. Students who have either completed their formal education or those who were unable to complete their education are provided with the opportunity to attend educational programmes in academics, career skills, and other research-oriented classes offered by the Korean Air and Correspondence University. The level of education offered by the Korean Air and Correspondence University is similar to that offered in two-year junior colleges or four-year universities. Most of the enrollees in these programmes are working in industries. In 1997, 18 subjects were offered, with 166 professors and 370,879 enrolled students.

356. In 1997, a variety of scholarships or tuition waiver programmes were offered for students who desired to enroll in higher education institutions. Three per cent of State-supported students attended junior colleges, 74.2 per cent attended universities of education, 13 per cent attended four-year universities; 13 per cent attended air and correspondence universities; and 5.6 per cent attended open universities.

Table 56: Scholarships for higher education, 1997

(at April 1997)

Classification	*No. of students*	*No. of recipients*	*% of recipients*	*Total subsidy*	*Subsidy per student (won)*
Junior college	724 741	14 060 (8 280)	1.9 1.1	12 054 966 (10 882 859)	857 394 (501 308)*
University of education	20 948	15 423 (133)	73.6 0.6	7 787 744 (97 067)	504 944 (209 099)
University	1 368 461	83 876 (58 027)	6.1 4.2	95 325 011 (96 025 680)	1 136 499 (679 206)
Air and Correspondence University	370 879	1 146 (3 764)	0.3 10	140 387 (446 561)	122 502 118 640
Open University	141 099	3 815 (4 061)	2.7 2.9	2 836 055 (3 782 969)	743 396 931 536
Various school	13 248	864 (231)	6.5 1.7	594 250 (14 411 115)	687 789 62 385 779
Graduate school	151 358	6 882 (9 125)	4.5 6	6 990 859 (18 989 011)	1 015 818 (692 149)

Source: Ministry of Education. The National Institute of Educational Evaluation, 1997 Annual Report of Educational Statistics.

* The amounts in brackets indicate exemptions from and reduction of school expense.

357. In order to guarantee opportunities for higher education, the Government provides long-term tuition loans to students who have financial difficulties. Forty per cent of the loan interest is subsidized by the Government, while the remaining 60 per cent is financed by the students. Students are required to pay back the loans in installments, with interest payments beginning five years after graduation.

(g) Opportunities for social education

358. Lifelong education. Article 31, clause 5 of the Constitution of the Republic of Korea declares that "The State shall promote lifelong education, hence advocating lifelong, or continuing education for Korean citizens." The Government enacted the Social Education Act (of 31 December 1989), the Act regarding Attaining Certificates through Independent Study (of 7 April 1989) and the legislative bylaw for articles 37 and 52 of the Higher Education Act. These laws are intended to provide polytechnic universities or air and correspondence universities with the autonomy to establish and operate individually or institutionally. Compared to general school education, less attention has been given to these lifelong education programmes and greater efforts are now being made to recognize the importance of these programmes. As of April 1997, approximately 510,000 students had enrolled, resulting in 194,228 graduates from one air and correspondence university (with 370,879 students) and 19 polytechnic universities (141,099 students).

359. Civic schools (Education Act, articles 10, 137-142) have been established to facilitate the schooling of people who were either unable to attend primary school or were unable to complete their primary education. However, due to the success of primary education, applications for civic schools have been on the decline. Accordingly, the Government is planning to close the schools in the near future. In terms of civil high schools that are open to graduates of civic schools or people who have only completed primary school, their number has sharply decreased from 19 schools in 1989 to 14 in 1990, 12 in 1991 and 7 in 1997.

360. There is a policy provision concerning independent-study education which allows schooling for high school graduates who, due to financial difficulties, timing constraints or other problems, were unable to attend university. Through a step-by-step national examination system, students have opportunities to earn Bachelor degrees. This policy, related to independent-study education, was first implemented in 1990 and as of 1997 had produced 3,246 graduates while 32,789 students were, at the time, in the process of earning their degrees.

361. The credit-banking system recognizes the credits earned by people who either completed certain academic programmes which were objectively evaluated, or passed Government-sponsored certification examinations. Once credits have been sufficiently accumulated, the academic backgrounds of these people are officially recognized and degrees are conferred accordingly. This policy is in accordance with the efforts to develop a society which values lifelong education. To realize this goal, the Enforcement Ordinance of the Education Act (13 January 1997) and enforcement by-laws (11 September 1997) have been passed. Since March 1998, there have been plans to evaluate and operate on a pilot basis parts of these academic programmes, and some universities are already operating the credit-banking system.

362. Moreover, the Government established the Korean Research Institutes of Vocational Education and Training on 10 September 1997, to increase the efficiency of programmes and further promote research and development concerning vocational education and training and the credit-banking system. In 1998, there were plans to implement 36 research projects, many of which are under way.

363. Social education facilities are available in four types: general social facilities, school-type facilities, non-formal education facilities annexed to universities and private academies. General social facilities are those registered under the jurisdiction of the municipal and provincial education offices, and operated by individuals in accordance with article 21 of the Social Education Act. These institutions offer adults and young people various educational programmes in basic cultural studies, health, hobbies, fitness and traditional Korean heritage. As of 1997, there were 177 social education facilities and 214,582 students were enrolled.

364. School-type facilities are divided into two types: one authorized to issue certificates equivalent to those provided to high school graduates from formal educational institutions, and those not authorized to do so. As of 1997, there were 48 school-type facilities, and 21,716 students were enrolled, However, due to the fact that an increasing number of students were moving into formal educational institutions, this number has been gradually decreasing.

Table 57: School-type social education facilities (SEF)

(at April 1997)

Classification	*No. of facilities*	*No. of students*
Authorized SEF	36	25 043
Not-authorized SEF	12	1 673
Total	48	26 716

Source: Ministry of Education, Lifelong Education Bureau.

365. In accordance with article 26 of the Social Education Act, social education facilities, annexed to universities that are registered with the Ministry of Education, play a significant role in administering adult education. There are 156 social education facilities annexed to universities in total, and 156,650 people are enrolled in such facilities.

Table 58: Social education facilities annexed to universities

	Total	*Before 1991*	*After 1991*						
			Total	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*
No. of facilities	156	32	124	7	9	11	25	32	40
Enrolments	156 650	51 348	105 302	10 995	11 415	17 778	20 909	24 946	19 259

Source: Ministry of Education, Lifelong Education Bureau.

Table 59: Social education facilities annexed to universities and junior colleges

(at 31 December 1997)

Classification	*Number of schools*			*Number of programs*	*Enrolments*
	University	*Junior college*	*Total*		
State/public	24	1	25	110	17 341
Private	92	39	131	850	139 219
Total	116	40	156	960	156 650

Source: Ministry of Education, Lifelong Education Bureau.

Table 60: Annual establishment of social education facilities annexed to universities and junior colleges

(at 31 December 1997)

	1986	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*total*
Universities	2	6	3	4	6	6	6	8	10	19	21	25	116
Junior collegesc	1	0	2	0	0	2	1	1	1	6	11	15	40
Total	3	6	5	4	6	8	7	9	11	25	32	40	156

Source: Ministry of Education, Lifelong Education Bureau.

366. A total of 10,505 schools have announced their interest in participating in the open educational facility plan in primary, middle and high school educational facilities, which will be utilized for social education, parents' education and lifelong education seminars.

Table 61: Utilization of primary, middle and high school facilities for social education

(at 31 December 1997)

School	No. of professors (A)	Available school facilities		Parents education programmes			Lifelong education seminars			
		No. of schools (B)	Ratio (B/A)	No. of schools	No. of participants	Ratio (C/A)	No. of schools	No. of RA* (D)	No. of seminars	Ratio (D/A)
Primary	5 804	5 777	99.53	5 229	1 469 211	90.09	3 555	759 054	7 207	61.25
Middle	2 771	2 727	98.41	2 270	480 517	81.92	1 230	200 178	2 156	44.39
Total	1 930	1 880	97.41	1 317	422 094	68.24	552	109 671	1 183	28.60
Total	10 505	10 384	98.85	8 816	2 371 822	83.92	5 337	1 068 903	10 546	50.80

367. Social education courses have been offered for youngsters and older people alike by privately run academic facilities that are registered and authorized under the jurisdiction of city, municipal and provincial education offices. These institutions are operated by individuals in accordance with article 6 of the Act on the Establishment and Management of Private Academies. There are approximately 400 education programmes in the areas of culture, basic knowledge, technology and artistic skills and various training programmes. In view of the number of academies and students enrolled in them, these facilities are playing a significant role in non-formal education. As of 1997, there were 282,423 private academies and the number of students enrolled reached 22,087,797.

Table 62: Private academies

	Total	Before 1991	After 1992					
			Total	1992	1993	1994	1995	1996
No. of facilities	282 423	43 292	239 131	38 865	43 599	48 476	52 058	56 133
No. of RA*	22 087 797	7 077 838	15 009 959	2 541 065	2 733 899	3 065 918	3 230 275	3 438 802

* RA = registered attendants.

Source: Ministry of Education, National Educational Evaluation Committee, Annual Statistics on Education, 1997.

368. The provision and expansion of social and adult education, as indicated in the previous paragraphs, played a significant role in improving various industries through connections with those industries. They have also contributed to maximizing the outcome of education investment.

369. Opportunities for pre-school education. In order to provide public educational facilities for pre-primary school children over the age of 3, the Government has established a pre-school education system. By providing education as well as safety services, the Government and local bodies have enhanced the quality of pre-school education. Moreover, the Government is gradually planning to provide free, one-year pre-school education prior to enrolment in primary school. The Government is striving to achieve 100 per cent enrolment rate by the year 2005, securing equal opportunity and the right to education. To actualize this plan, kindergartens have been established and operated (Primary and Secondary Education Act, articles 35, 37). As of 4 April 1997, the enrolment rate of children over the age of 5 in kindergartens was 45.0 per cent.

370. The following table provides information on the status of nursery schools and kindergartens, as well as future plans to expand pre-school educational opportunities.

Table 63: Status of kindergartens

(at April 1997)

Classification	*Target Population*	*Enrollments*	*Percentage*	*Remarks*
Kindergarten	676 162	304 470	45.0%	Based on five-year olds

Source: Ministry of Education, Bureau of Primary and Secondary Education.

Table 64: Plans to expand the accessibility of kindergartens

	1998	*1999*	*2000*	*2001*	*2002*
Target population	716 861	717 206	714 663	715 185	713 912
No. enrolled	358 431	366 492	380 201	409 801	438 342
% enrolled	50.0%	51.1%	53.2%	57.3%	61.4%
No. of kindergartens	9 062	9 109	9 139	9 191	9 246

Source: Ministry of Education, Primary and Secondary Education Bureau.

371. The Government provides financial support to schools for emotionally and physically disabled children. These institutions are declared special schools under article 2 of the Primary and Secondary Education Act, the Special Education Promotion Act (31 December 1997) and other by-laws. The status of special education is as follows:

Table 65: Status of special education

(at April 1997)

Classification		*No. of schools*	*No. of classes*	*Enrolment*
Special Schools	Sight Disabilities	12	165	1 354
	Listening Disabilities	19	349	3 063
	Mental Disabilities	63	1 369	14 545
	Physical Disabilities	16	313	2 899
	Emotional Disabilities	4	93	928
	Total	114	2 289	22 789
Special classes	Regular schools	2 862	3 626	25 300

Source: Ministry of Education, Primary and Secondary Education Bureau.

372. The practical management of special education varies according to factors such as regional economic conditions, the distribution of handicapped children and their degree of disability. Depending on these variables, a variety of educational facilities are available, such as special schools, special schools within welfare facilities, special classes according to the disability, special education teachers in welfare facilities, and home-study education. Special education is available to children who qualify as handicapped within the age group of 3 to 17, and attend primary, middle or high schools. Tuition waivers for the cost of education are provided to these students, and admission fees, tuition and textbook charges are waived. Also, partial or complete funding is provided for transportation and dormitory expenses (Special Education Promotion Act, article 5). Private special schools also receive a subsidy from the Government equal to the subsidies given to public or national special schools. In 1990, a 60.9 billion won budget was allotted to special education, and this amount increased to 298.6 billion won in 1997.

373. Handicapped children have the right to attend special schools, and teachers who hold degrees in special education teach the special education programmes. These teachers design independent curriculums according to the needs of individual students. Special training is provided to teachers for their professional development. The teachers who majored in special education teach the general subjects to students with disabilities, while the arts and physical education classes are taught together with regular classmates. The number of specialized classes available for handicapped children is as follows:

Table 66: Number of students in special classes

Kindergarten	*Primary school*	*Middle school*	*High school*	*Total*
30	20 674	4 539	57	25 300

374. While some students with disabilities attend specialized classes, a great number of students with sight, hearing, and mental disabilities attend regular classes and receive the general education.

375. There are plans to expand the number of special schools from 14 to 129 by the year 2002. There are also plans to increase the enrolment rate of handicapped children to 100 per cent, as well as the number of specialized classes from 1,832 to 5,458 so that the facilities can accommodate all handicapped children. Moreover, there are plans to annually develop 16 new special education programmes (Special Education Promotion Act, article 5) in order to improve the quality of special education. Provisions to increase the number of special education teachers in regular schools from 3,626 to 5,458, and increase the number of training opportunities for special teachers also exist.

3. Investment in education

376. Despite its limited financial capacity, the Republic of Korea recognizes that investment in education is essential for individual and national development, and therefore emphasizes the need to secure the education budget. This commitment is in agreement with the right to education guaranteed by article 31 of the Constitution. The education budget is used to support local government education initiatives, finance private education, provide vocational or trade education and in-service training for teachers, and expand overall education opportunities.

377. The central Government appropriates a significant part of its budget for the salaries of teachers who work in institutions providing free and obligatory education. Out of the total internal tax and other special subsidies, 11.8 per cent is spent to support primary and secondary education. If expenditures that have not been previously budgeted become necessary, the Government will allot subsidies to meet the need accordingly (Subsidy Law for Local Education of 31 December 1990). Moreover, since 1991, the Government has supplied grants to local authorities for local education and provided greater autonomy in the local education systems (Subsidy Law for Local Education, 31 December 1990). The revenue source is the education tax.

Table 67: Grants for the Local Education Budget

(unit: 100 million won)

1991	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*
14 360	17 733	24 158	25 691	29 870	41 136	52 718

378. Due to the educational reform announced on 31 May 1995, the scale of the education budget is set to expand to 5 per cent of GNP by 1998. However, more investment in education is necessary to turn the private expenses of education into public expenses.

Table 68: Scale of the education budget

(unit: 100 million won)

Year	GNP* (A)	Government budget (B)	Education budget (C)	Local education budget (D)	Cost of construction C/B	Cost of construction C/A
1980	343 216	58 041	10 992	9 288	18 9	3 2
1990	1 782 621	226 894	50 624	48 369	22 3	2 8
1995	3 489 793	548 450	124 958	105 712	22 8	3 6
1996	3 866 404	649 268	155 652	129 937	24 0	4 0
1997	4 368 700	766 395	182 876	152 326	23 9	4 1

* 1996 tentative GNP, 1997 expected GNP.
Source: Bureau of Statistics, Korean Basic Economic Index.

379. The following table shows the Government's initiatives between 1993 and 1997 to construct schools:

Table 69: Trends in the construction of schools

(unit: institution)

Classification	1993	1994	1995	1996	1997	Total
Primary school	95	86	70	97	97	445
Middle school	66	46	24	34	30	200
High school	21	30	32	33	39	155
Total	182	162	126	164	166	800

380. There is a greater shortage of schools in urban areas than in rural areas. Schools in rural areas have a shortage of students, whereas some schools in urban areas still have double-shift teaching and overpopulated, large-scale classes. To relieve the double-shift teaching method, the municipal and provincial education offices are taking into account each school's maximum capacity of enrolment, and the region's circumstances. Through these plans, the municipal and provincial education offices are establishing new schools, and improving class environments and curriculums. The status of these overpopulated schools as of 1997 is described below.

Table 70: Status of overpopulated schools

(As of April 1997)

Classification	No. of students	No. of schools	No. of classes	Double-shift classes	Oversized schools*
Primary school	3 783 986	5 721	107 860	973	384
Middle school	2 180283	2 720	49 956	n/a	406
High school	2 336 725	1 892	47 421	n/a	515

* Oversized schools = over 49 classes for primary schools, and 31 for middle and high schools.
Source: Ministry of Education, Korean Education Promotion Foundation, 1997 Annual Report of Education Statistics.

381. As a result of the continual increase in educational investment, class sizes have been gradually decreasing. As of April 1997, the average class size in primary schools was 35.1 students, 43.6 in middle school, and 49.2 in high schools.

Table 71: Trends in the number of students per class

Year	*Kindergarten*	*Primary school*	*Middle school*	*Regular high school*	*Vocational high school*
1980	38.4	51.5	62.1	59.9	59.6
1985	34.5	44.7	61.7	58.0	55.5
1990	28.6	41.4	50.2	53.6	51.5
1995	28.5	36.4	48.2	48.0	47.9
1997	28.3	35.1	43.6	49.6	48.8

Source: Ministry of Education, National Education Evaluation Foundation Looking at the Path of Korean Education, 1997.

4. Opportunities for teachers

(a) Teachers' unions and Labour Relations Law

382. The status of teachers' unions is explained in paragraph 74 of this report.

383. In 1996, in order for teachers to participate in the management of the school, school councils were established in primary and middle schools. School councils have 7-15 members, including parents, teachers and community figures, and make major school management decisions, including budgetary issues. The school principal must consult with the school council in enforcing important aspects of the school management. Teachers must participate in ad hoc board meetings and share the responsibility and right to school management with the principal. With the establishment of ad hoc boards, the decision-making power of the principal has become more significant. As of June 1998, school councils existed in 4,000 primary schools, 1,622 middle schools, 832 high schools and 22 special schools.

(b) Teachers' overseas training

384. Since 1978, in order to encourage greater appreciation for global issues, teachers have been sponsored to participate in overseas-training programmes. These programmes consist of 4-5 weeks of location-based studies and 10 days of short-term observation studies. Location-based studies focus on subjects such as foreign languages, sciences and practical skills. The subjects that do not require long-term time commitments are classified into observation programmes and last for about 10 days. This minimizes the cost of the teachers' overseas-training programsme, while maximizing the effects.

385. The overseas-training programmes have been held annually. In 1997, 8,886 teachers took part in such programmes. In order to prepare for the trends

of globalization, there are plans to increase the availability of these programmes.

386. In order to encourage respect for teachers and heighten their pride and determination, various campaigns have been carried out, for example: the Respect for Teachers Campaign, which assists former students in locating their former teachers (between 1993-1997, 95,060 cases), the Writing Letters to Teachers Campaign and the Civil Servants Visit to Slum Schools and Their Childrens' Schools. Awards for teachers' achievements, such as the Retiring Teachers Award (21,968 teachers between 1993-1997), the Teachers Day Award (18,282 teachers between 1993-1997), and the Award for Outstanding Service in Education (12,749 teachers between 1993-1996) have also been granted.

387. In light of the importance of the teaching profession, the Government has established teacher training institutes (universities of education), independent from the general universities, in order to train qualified applicants for the profession. Those who meet the schools' requirements are granted teaching certificates. Entry to the teaching profession is based on the results of open examinations (Educational Civil Servants Act, article 11, clause 1).

(c) Teachers' welfare

388. The working conditions of teachers, including their salary, working hours and working environment, should not be seen as being inferior to those of other jobs. Compared to other civil servants, the salary of teachers is increasing. In addition, an extra allowance of 190,000 won to all teachers of primary and middle schools is provided monthly and 40,000 won are given to teachers separately as class-teaching stipends. The average number of teaching hours per week is 25 hours in primary school, 19 hours in middle school, and 15 hours in high school. Vacation includes summer and winter breaks, adding up to more than 80 days, during which salaries and extra allowances are still provided. Therefore, the working conditions of teachers in the Republic of Korea compares favourably with those of other types of occupation.

389. The Special Act for Improving the Status of Teachers was ratified on 31 May 1991 in order to guarantee teachers respect, special status and higher wages. In disciplinary proceedings, teachers have the right to challenge the decisions of the disciplinary committee as he or she sees fit by taking the case to the Review Committee for Teachers' Disciplinary Actions for re-evaluation.

390. The Teachers' Labour Union and the related government agency negotiate working conditions, retirement plans, welfare of teachers and professional opportunities in a group-based manner, within legal provisions. The legal provisions, which can be negotiated between these two parties, are provided to improve the wage system, off-days and vacations, protection of female teachers, and teachers' welfare. There are also provisions that include ways to improve working conditions by providing financial support for conducting research and offering opportunities for professional development.

391. Nursery and day-care facilities (school-nursery rooms) have been established for female teachers who have young dependents. 207 facilities were built between 1993 and 1997, and teachers' children between the ages of 3 and 5 are entitled to use these facilities.

392. In order to encourage stable living and teaching conditions for teachers, better living fund loans are extended through teachers' health and welfare organizations (Korean Teachers Welfare Association, Private School Teachers Pension Authority). For the purchase and leasing of housing, the budget for Better Living loans reached 177.4 billion won in 1993, 274.2 billion won in 1994, 413 billion won in 1995, 1.35 trillion won in 1996 and 1.61 trillion won in 1997.

393. Better research, conference and relaxation facilities also create better conditions for education. In accordance with the Special Accounting Law for the Improvement of the Educational Environment, from 1996 to 2000, 1 trillion won annually and 5 trillion won in total funding has been budgeted to improve the educational environment. Plans to expand teachers' accommodation rooms (grade-based in primary schools, subject-based in middle schools) are also in the process of being implemented.

394. During the period of the project (five years), 408.8 billion won will be invested to carry out the preliminary plans for installing 7,913 accommodation rooms. During 1996-1997, 37.8 billion won were invested to create 2,126 more rooms and by 2000, there are plans to invest 371 billion won to build 5,787 additional rooms. Since 1993, computers for administrative use have been provided for each primary, middle and high school in order to enhance efficiency and productivity (grade and student evaluation recording, etc.). As of 1995, all schools have been provided with computers, and by 1999, there are plans to provide a computer for each teacher so that further progress can be made in the education-information process. Moreover, there are plans to provide fax and copy machines to each academic affairs office in primary, middle and high schools. With respect to telecommunication facilities, there are plans to establish 3-line phone systems for every 10 teachers.

5. Private schools

395. As of 1997, the status of private schools in primary and secondary education was as follows.

Table 72: Status of private schools

(at 1 April 1997)

Classification	*Total No. of schools*	*No. of private schools (%)*	*Total No. of students*	*No. of female students (%)*	*No. of private school students (%)*
Kindergarten	9 005	4 583 (50.9)	568 096	267 353 (47.1)	447 514 (78.8)
Primary school	5 721	76 (1.3)	3 783 986	1 795 789 (47.5)	58 207 (1.5)
Middle school	2 720	690 (25.4)	2 180 283	1 052 046 (48.3)	515 269 (23.6)
High school	1 892	915 (48.4)	2 336 725	1 128 098 (48.3)	1 355 085 (58.0)
Total	19 338	6 264 (32.4)	8 869 090	4 243 286 (47.8)	2 376 075 (26.8)

Source: Ministry of Education, National Education Evaluation Institute, 1997 Annual Report of Education Statistics.

396. As of 1997, the status of private colleges was as follows:

Table 73: Status of private colleges

(at 1 April 1997)

Classification	*Total No. of schools*	*No. of private schools (%)*	*No. of students*	*No. of female students*	*No. of private school students*
Junior College	155	144 (92.9)	724 741	277 658 (38.3)	699 914 (96.6)
University	150	124 (82.7)	1 368 461	463 739 (33.9)	1 034 033 (75.6)

Source: Ministry of Education, National Education Evaluation Institute, 1997 Annual Report on Educational Statistics.

397. Based on the standard of law, those who wish to establish private schools encounter no particular problems as far as primary and secondary institutions are concerned. However, in terms of institutions of higher education, a number of issues have to be taken into consideration, such as restrictions on specific regions and areas of specialization, relevant legislation and the autonomy of university education, prevention of overcrowding in urban areas, and policies for developing human resources.

398. Students are assigned to schools in terms of geographical allotment, and so they are limited in selecting their primary (private schools excluded), middle and higher schools (special high schools excluded). So far, very few problems have occurred with this scheme because the quality of public and private education is fairly similar. The difference that does exist between pubic and private education concerns religious affiliations, and through the availability of elective subjects, efforts are being made to ensure that religious affiliations do not become a matter of concern.

6. The process of education

399. Primary and secondary education in the Republic of Korea provide the basic capabilities of its citizens. In order to guarantee high standards for this basic education, there has to be consistency and structure in the process of education. For the purpose of maintaining the standard of education as well as neutrality in public education, the Minister of Education emphasizes the provisions as indicated in the Primary and Middle School Enforcement Act.

400. The educational process is outlined and operated by the State, city and provincial offices, as well as the schools themselves. The city and provincial offices take into account the uniqueness of each region while fundamentally following the national-level education process, as outlined in the Format for Formation and Operation of the Education Process. In effect, schools can refer to this outline and base their educational process on this while taking into consideration specific needs and situations. Through the use of the Format for Formation and Operation of the Education Process, schools can decentralize the formating and operating process.

401. The Ministry of Education designs school supervision plans each year. Furthermore, the city and provincial offices of education independently plan supervision of educational activities at the city and provincial levels in order to increase autonomy of education, to diversify the educational system and curricula, and establish teacher support systems. Most noteworthy are the

efforts to upgrade the quality of education, and particular attention has been given to whole-person educational philosophies.

402. There are three categories of textbook publication and compilation systems in the Republic of Korea. The textbooks classified in the first category are the ones copyrighted by the Ministry of Education. Textbooks authorized by the Ministry of Education belong in the second category. Textbooks in the third category are authorized by the superintendents of offices of education at the city and provincial level. In the long run, efforts are being made to improve the textbook publication policy. A "free publication system" will be implemented for textbooks, except on subject matters, like Korean language, which require integration of overall linguistic policies, and moral education, which is necessary to enhance the national identity.

7. Women's education

403. As of 1997, the total number of students in the Republic of Korea was 11,562,388. Female students represented, 45.6 per cent (5,272,469 students) of the total student population. There was little difference between the number of male and female students throughout pre-school, primary and secondary school. While the percentage of female students does lag behind that of males in higher education institutions, this trend is not due to the school system or educational policy.

404. There are a number of women's colleges which do not accept male students in the Republic of Korea. At colleges of education, the percentage of enrolled female students is 74.8 per cent The literacy rate of females is over 90 per cent and there is no difference in literacy rates between genders.

405. There is no discrimination in the admission policies of higher educational institutions. The ratio of female enrollees in the fields of medicine, science, law, economics, engineering, linguistics, and various other major concentrations in universities are as follows:

Table 74: Number of registered female students in various majors

(unit: person)

Major	*Total No. of students*	*No. of female students*	*Percentage*
Languages	133 243	78 296	58.8
Engineering	385 678	40 336	10.5
Natural Sciences	147 260	54 184	36.8
Law	38 391	8 153	21.2
Medicine	43 211	17 068	39.5
Pharmacy	5 611	3 771	67.2
Economics	4 621	1 446	31.3

Source: Ministry of Education. National Education Evaluation Institute, 1997 Annual Report on Education Statistics.

8. Education and international exchanges for foreigners and Koreans from abroad

406. If foreigners or Koreans from abroad wish to get an education in Korea, their academic records from foreign institutions are accepted (Enforcement of Education Act, articles 79-82). Special standards are used to ease their acceptance into Korean universities and minimize certain disadvantages, such as language barriers and emotional distress. (Enforcement Act, article 107 clause 2; Enforcement of Education Act, articles 69 and 71, clause 2; Rights of University Student Act, article 2).

407. In the Republic of Korea, the number of foreigners attending schools at April 1997 was 2,458. To acquire Korean language skills, these students attend language programmes at universities as well as the National Institute of International Education and Development which is directly attached to the Ministry of Education.

408. The major barrier to ensuring the fulfilment of the right to education of all Korean citizens in the Republic of Korea is insufficient funds for education. To overcome this, the Government is trying to increase its investment in education. However, there is a need to address this problem on an international level through cooperation with international organizations, Governments, non-governmental organizations and individuals.

409. The Republic of Korea has established cultural agreements with 82 countries, and agreed to establish cultural committees with 21 countries in order to enhance international exchange and cooperation, especially through the United Nations Educational, Scientific and Cultural Organization, the Organization for Economic Co-operation and Development, the Asia-Pacific Economic Cooperation and other major international organizations. The Republic of Korea is actively engaged in the education reform programmes that are going on in these organizations. The major ongoing projects include conducting research and seminars, exchanging of literature and information, implementing various study-abroad programmes and human resource support, and developing education-related statistical data.

Article 15. Right to participate in scientific and cultural activities

1. Right to participate in cultural activities and cultural policy-making

410. As explained in paragraphs 525 and 526 of the initial report on the Covenant, the right to take part in cultural activities is guaranteed by the Constitution.

(a) Cultural policies

411. The Republic of Korea has been steadily pushing a 10-year cultural development plan since 1990. In 1996, the Government expanded the plan in order to establish a new cultural welfare policy, reflecting the new cultural trends of the time. It aimed at expanding the scope of the cultural policy in order to provide the benefits of culture to ordinary people. Moreover, the Government intends to raise the quality of the people's lives by linking culture with tourism, sports and youth.

412. The purposes of a cultural welfare policy can be divided into two areas:

(a) To expand cultural facilities and increase opportunities for people to enjoy cultural activities in order to raise the quality of their lifestyles;

(b) To expand various facilities for recreational sports, popularize sports, expand rest and recreational facilities, and improve conditions for tourism.

413. The Government defines the coning millennium as "the century of culture". The Government is working out a national consensus to forge a nation of culture through a policy called "Cultural Vision 2000".

(b) Cultural organizations

414. The Ministry of Culture, which was established in January 1990, was reorganized into the Ministry of Culture and Tourism in February 1998. This paved the way for the Government to carry out its tourism policy as a part of cultural policy.

415. The cultural organizations under the Ministry are described in paragraph 533 of the initial report on the Covenant. The status and work of the cultural organizations, including the Committee for the Promotion of Culture and Arts, are explained in paragraphs 534-543 of the initial report.

2. Various systems for the realization of right to participate in cultural activities

(a) Funds for the promotion of artistic creativity

416. As mentioned in the initial report, there is a Public Fund and a Fund for the Promotion of the Culture and the Arts, each of which extends monetary support to various groups for cultural activities in the country. The Public Fund began in 1981 under article 35 of the Broadcasting Act and article 20 of the Broadcasting Advertising Corporation Act. It has been used for the promotion of culture and arts and provided 106.6 billion won to 10 organizations including the Korea Culture and Arts Foundation in 1996. The Fund for the Promotion of Culture and the Arts was established in 1973 under Article 6 of the Culture and Arts Promotion Act to support creative and research activities of artists in various fields and to popularize the arts. It also aims to improve the welfare of artists. As of 1997, the Fund had 284.9 billion won. The money is made available every year to individuals and organizations for their cultural and artistic activities. In 1997, the Fund spent 30.47 billion won for promotional projects.

417. Since 1984, autonomous local governments raised funds for the promotion of local culture and art. As of December 1995, a total of 67.3 billion won have been raised in 14 provinces and cities. Some of the interest earned from the funds were spent for the promotion of local art and the creative activities of artists residing in provinces and local cities.

(b) Designating the year of a specific art

418. Since 1991, the Korean Government has chosen one area of the arts each year and concentrated its support to that area to help raise the quality of the art and popularize it:

(a) 1991 was designated "the Year of Drama and Movies" and 1992, "the Year of Dance." 1993 was designated "the Year of the Book" in order to encourage people to read more books while contributing to the development of publishing and related industries;

(b) 1994 was "the Year of Traditional Music," during which the Government contributed to the popularization of traditional Korean music by offering more opportunities for people to listen to and take part in traditional music-making;

(c) The Government has contributed to the development of fine arts by designating 1995 "the Year of Fine Arts" and encouraging the people's interest in them;

(d) By designating 1996 as "the Year of Literature," the Government contributed to the development of literature and related areas by discovering talented writers;

(e) 1997 was "the Year of Cultural Heritage," during which the Government encouraged people to rekindle their pride in their cultural heritage and take interest in the cultural relics in their area.

(c) Expansion of cultural facilities

419. In Korea, there are 350 public libraries, or one per 130,000 persons. The Government plans to build about 20 libraries a year under a plan to raise the number of public libraries to 750 or one per 60,000 persons by 2011.

420. As of 1997, there were 497 movie theaters, 316 performing arts halls, 312 art galleries and exhibition halls, 1,332 local cultural facilities, 190 cultural centres, 37 traditional music centres, 52 cultural property training centres and 214 museums.

(d) Honours and support for artists

421. The Korean Government awards prizes every year to artists who have contributed to the promotion of culture in accordance with article 13 of the Cultural Arts Promotion Act. As of 1997, 511 artists had received medals and 137 artists received the Culture and Arts Award. The Award for the Young Artist has been given to 33 artists.

422. In order to help improve the welfare of artists, the Korean Culture and Arts Foundation awards a pension to elderly artists who have contributed to the development of the nation's culture and arts. The private Korean Motion Pictures Welfare Foundation also gives merit pensions and monetary awards to elderly film-makers who have made contributions to the movie industry.

423. The Government revised the Law on the National Academy of Arts in 1996 and increased the number of members from 75 to 100 so that they could help boost the creative activities of artists and work for the development of the arts. The Academy gives out allowances and support funds for artistic activities to its members.

(e) Promotion and support for cultural and artistic activities

424. The Korean Government passed and promulgated the Audio-Visual Promotion Act in 1995 to formulate a basic policy aimed at promoting the video industry.

425. The Government continues to support the movie industry, including measures to support the production of artistic movies and short films and to encourage people to write better screen plays. The construction of the Seoul Cinema Complex in 1997 realized a comprehensive support system for the movie industry.

426. The Government is supporting local organizations to hold cultural festivals to help develop regional culture. The festivals that receive the Government's annual support include more than 10 overall arts festivals on the city and provincial levels and more than 40 cultural festivals on the regional level.

(f) Expanding the opportunities to participate in cultural and artistic activities

427. The Government is offering cultural education by providing opportunities for young people, housewives and the elderly to study traditional culture and crafts after increasing the number of cultural schools to 200 at public cultural facilities.

428. The Government is operating cultural programmes through which people can visit museums, theatres and traditional music centres. It is also making efforts to provide underprivileged people with the opportunity to enjoy cultural activities by sponsoring musical troupes to perform mainly in farming and fishing villages around the country.

(g) The role of the media in the promotion of people's participation in cultural activities

429. In order to promote people's participation in cultural activities, newspapers, other periodicals and broadcasting stations are carrying out cultural projects. A total of 106 daily newspapers and 12 television and 15 radio broadcasting companies carry out various cultural projects including annual literary contests, musical and theatrical performances and art exhibitions.

430. With the creation of a comprehensive cable television network in 1995, including such specialized channels as music and the arts, people are able to enjoy watching and listening to diverse cultural and art programmes.

(h) Preservation and promotion of the World Cultural Heritage

431. The Republic of Korea acceded to the Convention on the Means of Prohibiting and Preventing Illicit Import, Export and Transfer of Ownership of

Cultural Property in February 1983 and the Convention Concerning the Protection of the World's Cultural and Natural Heritage in September 1988. Thus, the Republic of Korea is taking part in the global efforts to preserve cultural properties.

432. In order to publicize the excellence and uniqueness of Korea's cultural heritage to the international community, the Government submitted a list of 10 cultural properties to the World Heritage Committee in 1993. And in 1995, the committee decided to place Sokkuram and Pulguksa, Tripitaka Koreana at Haeinsa Temple and Chongmyo, or the royal ancestral shrines, on the World Heritage List. Hwasong Fortress in Suwon and Changdokgung Palace in Seoul were added to the list in 1997. Hunmin chongum, or the Korean alphabet, and Choson wangjo shillok, or the Veritable Records of the Choson Dynasty (1392-1910), were added to UNESCO's Memory of the World List. Moreover, the Republic of Korea became a member of the World Heritage Committee (21 nations for a six-year term) so that it can actively participate in the international efforts to preserve world cultural properties.

433. At home, the Government selects both tangible and intangible cultural properties, designates them as national cultural properties and manages them under the Cultural Property Protection Act. The number of those properties is as follow:

Table 75: Cultural properties designated by the Goverment

(As of June 30, 1997)

National treasures	*Treasures*	*Historic sites*	*Historic sites and scenic spots*	*Scenic spots*	*National monuments*	*Important intangible cultural assets (holders)*	*Important fork materials*	*Total*
293	1 243	384	6	7	286	103 (181)	228	2 550

(i) Freedom of artistic creation

434. The Performing Arts Act was revised in April 1997 to guarantee freedom of expression and artistic creation to the fullest extent within the framework of maintaining decency and lawfulness of a performance due to its public nature. The Performance Ethics Council, composed of Government-appointed members, has been abolished, and in its place, the Korea Performance Arts Promotion Council (KPAPC) was established with members recommended by the Korean National Academy of the Arts, a non-government organization (in accordance with article 25, sect. 3, of the Law bearing the same name). The new non-governmental independent council deliberates on the appropriateness of various art performances, movies, records and videos with fairness and objectivity.

435. To further promote freedom of the arts, the Movie Promotion Act was revised in April 1997 so that the previous censorship by the Performance Ethics Council was replaced by a rating system (article 12 of KPAPC Law) managed by KPAPC. Performances are rated only when they involve foreign performers and the audience includes minors (article 14, sect. 2, Performing Arts Act). Movies are rated according to article 12 of the same Act, and videos and records are rated according to article 17 of the Law Governing Records and Videos. Rating

standards are set by the Performing Arts Act (art. 25, sects. 3-4) by determining whether a particular artwork (a) is compatible with the Constitutional mandate for the nation's basic laws and security and with the orderliness requirements of public performances; (b) promotes the national identity; (c) is a good influence on children and youth; (d) promotes purity of family relationships; and (f) promotes public morals and social ethics.

(j) Professional education for artists

436. Most Korean universities and colleges have arts or arts-related departments. As of April 1997, a total of 150 colleges had 461 arts-related departments with 73,000 students.

437. The Korean National University of the Arts opened in 1993 to offer undergraduate and graduate school courses in separate colleges of music, drama, film and mutimedia, dance, visual arts and Korean traditional arts. A total of 1,902 students were enrolled at the university in January 1998. The Music School graduated 140 students, and the Drama School gave degrees to 22 students in 1998.

438. Three arts middle schools and 19 arts high schools are training young artists in various disciplines.

3. Protection of intellectual property rights

(a) Laws and regulations protecting creative works

439. Article 22 of the Korean Constitution states that "the rights of authors, inventors, scientists, technologists and artists shall be protected by laws." Information on their protection can be found in the initial report. Excerpts of the Copyright Laws can be found in paragraph 635 of the initial report. In 1994 and 1996, the laws were updated to accommodate provisions of the Trade Related Intellectual Properties (TRIPs) and the Bern Convention.

440. According to article 91 of the Copyright Law, article 126 of the Patent Law and article 25 of the Computer Program Protection Law, the State can issue an injunction to cease and desist from infringing on copyrights, patent rights, computer program rights, and other intellectual property rights when such violations occur. Damages may be recovered through court actions (articles 93, 128 and, 27 of the law mentioned above), and the perpetrators can be punished (articles 98, 225 and 34 of the law mentioned above). The following is the enforcement record of the relevant laws:

Table 76: Enforcement record of intellectual property protection laws

(unit: persons)

Year	*Anti-illegal competition & trademark laws*	*Copyright laws*	*Computer program laws*
1994	3 434	5 623	308
1995	3 393	7 203	261
1996	4 067	7 444	315
1997	4 196	7 480	1 105

Source: Attorney General's Office.

(b) Protection of international copyrights

441. Recognizing the need to strengthen the protection of international copyrights in light of the increasingly sophisticated duplicating technologies and the rise in international exchanges between nations, the Korean Government undertook a major revision of the Copyright Law in 1986. Korea joined the Universal Copyright Convention and the Phonogram Convention in 1987 and as well as the Bern Convention in 1996. It has faithfully been complying with the WTO/TRIPs obligations to protect intellectual property rights.

(c) Expansion of copyright protection

442. The Korean Government has been implementing a copyright registration system to expand the protection of copyrights. The relevant information can be found in paragraph 640 of the initial report. The following are the registration records:

Table 77: Registrations of copyrights by year

(unit: No. of cases)

Year	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*
Registrations	203	219	373	501	353	261	271

Source: Ministry of Culture & Tourism, Copyrights Division.

443. The Copyrights Law (article 78) stipulates that third party companies be created to bridge the needs of the copyright holder and the user of the copyrighted material. The main role of trustee copyrights management firms is to link the two sides fairly and efficiently. As of December 1997, there were three active management companies, 102 agencies or brokers, and two copyright fees collection firms.

444. In addition, the Government educates the general public on the copyrights regulations in cooperation with various schools, art galleries, libraries and museums. The Government regularly provides the press with information relevant to copyright issues, while publishing "Copyrights in Everyday Life" and other brochures and internet home pages for maximum dissemination of information on the topic.

4. International cultural exchanges

445. As described in the initial report, the guiding principle of Korea's international cultural exchange is to benefit both parties mutually.

446. The Government not only initiates State-to-State cultural exchanges but also encourages people-to-people interchanges by helping host international performances, exhibitions and symposiums in the country as well as sending Korean performers and delegates to various overseas events. To promote international exchanges, especially those by the non-governmental sector, Korea, as of June 1997, had signed bilateral cultural agreements with 79 countries (13 countries in Asia, 23 in the Americas, 20 in Europe, and 23 in Africa and

South-west Asia); the number is still increasing. To translate the agreements into concrete actions, parties sponsor alternately every two or three years a joint cultural committee meeting. As of December 1997, Korea had set up a joint committee with 23 countries.

447. Korea joined UNESCO in June 1950, and set up its commission in 1954 to promote international exchanges in the field of education, science and other cultural areas. As mentioned in the initial report, the Government enacted the Law Governing UNESCO Activities in 1963 to promote the cause of the organization.

448. In 1997, Korea signed a contract with Culturelink, a major international cultural information network established in 1989, to set up its Asian-Pacific regional centre. The regional centre project, which started in 1997, is scheduled to finish in 1999.

449. The Government is encouraging the private sector as well as government agencies to participate in the activities of various international cultural organizations. It is constantly striving to benefit the Korean people culturally by complementing related laws as well as making and executing diverse cultural policies.

5. Application, preservation and development of science and its popularization

450. As mentioned in paragraph 589 of the initial report, Korea has a long-standing history in science and technology.

451. Article 127 of the Constitution of Korea clearly states that it is the State's duty to develop science, technology, information and human resources, encourage innovation and establish a system of national standards. The Korean Government established the Ministry of Science and Technology in April 1967 to better serve the increasing need for advanced science and technology. The Ministry's status was further strengthened in February 1998. The Ministry of Science and Technology now takes full responsibility for science and technology planning, management, promotion and international cooperation.

452. Korea celebrates 21 April as Science Day, a symbol of its will to further develop science and technology and deepen awareness among people from various walks of life. The Korean Government confers medals of merit on those who have contributed to the development, promotion and diffusion of science and technology.

453. In order to promote research and development, the Korean Government established the Korea Institute of Science and Technology in 1996, and the Korea Advanced Institute of Science and Technology in 1970, along with other Government-funded institutes specializing in shipping, electronics, energy, standards, mechanical engineering, metallurgy and electrical-magnetic engineering.

454. In 1973, to secure a space for science and technology research, the Government constructed the Daeduck Research Science Town on 27.6 square kilometers adjacent to Yousung-ku, Taejon. This research complex currently accommodates 7 Government institutes, 16 Government-funded institutes,

8 Government-subsidized institutes, 25 private research institutes and 3 higher educational institutes. Furthermore, 17,063 people reside in this complex and are engaged in research activities. A total of 16 more institutes (3 Government-funded institutes, 8 private research institutes, 1 Government-subsidized institute, 2 Government institutes and 2 training institutes) are due to take up residence there in the near future.

455. One of the most important factors in science and technology development is the investment in research and development. In 1963, GNP was 87 dollars per capita. The annual economic growth rate was 2.2 per cent and the ratio of research and development investment to GNP was 0.24 per cent. In 1995, these figures increased to 10,037 dollars per capita, 8.7 per cent and 2.71 per cent respectively.

456. In order to achieve important developments in science and technology, the Korean Government is planning to raise the percentage of research and development investment to 5 per cent of GNP by the year 2002 according to the express provision for reform in science and technology, which was issued in July 1997, and the five-year plan for reform in science and technology.

(a) Measures for preserving the natural heritage

457. As mentioned in paragraph 595 of the initial report, the Korean Government strives to preserve the natural heritage, promote a clean environment, and maintain environmental order and balance.

458. The Korean Government's effort to conduct investigations on the national ecosystem and designate an environmental preservation region is mentioned in paragraphs 596-597 of the initial report.

(b) Spread of science and technology information

459. The basic policies for building up an information distribution system is mentioned in paragraphs 599-600 of the initial report.

460. The Korea Institute of Industry and Technology Information (KINITI) was established in 1991. Its mandate is to promote the spread of industrial technology. The major functions of the Institute are to collect, analyse and process industrial technology information. Based on its own database, it has built an information network for scientific technology (KREONET) to operate the service.

461. Efforts to promote the diffusion of information is mentioned in paragraphs 601-602 of the initial report. As mentioned in paragraph 603 of the initial report, the Government conducts various measures, such as briefings on technology policy trends, to promote science and technology.

(c) Prevention of the use of technical achievements to infringe rights

462. Efforts to prevent the negative side effects generated from the introduction of new technology is mentioned in paragraphs 604-606 of the initial report.

6. Science education and technology development promotion

463. Science education and technology development promotion, guaranteed in the Constitution and the law, is mentioned in paragraphs 607-608 of the initial report.

(a) Measures for education and training of manpower

464. Science high schools were established by the Government to provide pragmatic science education. The 15 science high schools had 3,845 students as at December 1997. Most of the graduates of these high schools continue their studies at the Korea Advanced Institute of Science and Technology (KAIST). Founded pursuant to the KAIST Act (31 December 1980), the Institute aims to produce quality scientists who are capable of applying theory to practical use. It also focuses on providing science and technology experts for mid- and long-term research and development programmes. The resulting academic degrees from KAIST are as follows :

Table 78: KAIST academic degrees

(number of persons)

Degree	*up to 1993*	*1994*	*1995*	*1996*	*1997*	*Total*
Master's	7 577	623	658	658	708	10 369
Ph.D	1 693	318	308	329	354	3 001

Source: Technology Promotion Division, Ministry of Science and Technology.

(b) Cultivating science-oriented minds in youth

465. The Government's efforts to run the National Science Museum for educating and spreading knowledge about science and technology is mentioned in paragraph 675 of the initial report. 175 scientists and 78,000 students participated in this project in 1997.

(c) Supporting private firms for their technological development

466. To foster a favourable atmosphere for technological development by private firms and to strengthen the competitiveness of firms, the Government is implementing the following policies:

(a) Preferential taxation. The Government grants a 5 per cent tax deduction (15 per cent for small firm owners; 10 per cent for investors who invest in small firms) on the amount of money invested annually in technology and manpower development by private firms. Goods imported by R & D labs or the association of technological research for research and development are exempted from tariffs;

(b) Financial support. In accordance with article 8, clause 3, of the Technology Development Promotion Act, the Government supports the development of

core industrial technologies by private firms which have difficulties in developing technology alone.

Table 79: Government support for R & D projects in individual fields

	up to 1990	*1991*	*1992*	*1993*	*1994*	*1995*	*Total*
Amount of research funding *	7 740	1 703	2 098	2 467	2 893	3 354	20 255
Government	4 463	1 070	1 300	1 002	1 461	2 000	11 496
Private firms	3 097	633	798	1 445	1 432	1 354	8 759
Number of projects	4 873	671	892	1 375	1 160	1 264	10 235
Number of participating firms	1 713	269	457	519	784	815	4 557

* in hundred million won.

Note: Statistical figures up to 1995 include investment in basic science.

Source: The Yearbook of Science and Technology, Ministry of Science and Technology, 1996

467. With shared research and development support from the Government, a total of 10,235 projects were completed as of 1995. Of the 3,162 projects intended for commercialization, 30 per cent (947 projects) were successfully completed. The representative projects intended for commercialization are polyester film, lead frame 4M/16M DRAM and intelligent robots. As a result of these successful projects, 226 billion won in technical royalties were collected and reinvested in R & D projects.

7. Scientific research and creative activity

468. As mentioned in paragraph 616 of the initial report, the Korean Constitution states that the freedom of scientific research and creative activity shall be protected by law.

469. Measures for the support of research institutes are the same as the ones mentioned in paragraph 681 of the initial report. The Government provides financial support to research institutes which employ 8,141 people. The Government provided these institutes with 757.8 billion won in 1996 and 923.7 billion won in 1997.

470. To elevate the research capability of researchers, and to gain research experience from advanced countries, the Government is sending researchers who hold Ph.D. degrees to research labs or universities in advanced countries for study tours.

Table 80: Study tours

(number of persons)

Year	*Universities*	*Research labs*	*Industries*	*Total*
1982-1995	1 662	429	24	2 115
1996	201	57	8	266

Source: Overseas Study Tour for Post-Doctoral Courses, Korea Science Foundation.

471. The guarantee of the right to information exchange provided in the Constitution is mentioned in paragraphs 620-621 of the initial report.

472. There are about 250 academic societies formed to exchange academic achievements among scientists. In 1996, 777 academic journals were published. The Government offered 1.3 billion won to support the publication of journals and 5 hundred million won for 328 scientific meetings.

473. Korean academic groups are active in international scientific exchanges. They have published 99 journals in English. The Government has provided 180 million won to those societies which participate in international activities.

474. Most institutes which are engaged in scientific research and creative activity have their own unions. The institutes support the unions by providing office rooms, manpower and vehicles in order to enhance their working conditions.

8. Future domestic policy

475. On 1 July 1997 the Government established the Special Law for Science and Technology Innovation in order to advance Korea in the ranks of industrialized nations. This law consists of 19 articles and 6 articles of the additional statement, including an article about the increase in the Government's investment in research and development, and will remain in force for five years as a temporary law. It focuses on the construction of a scientific technology innovation system, the increase in investment in research and development, the escalation of efficiency of investment in research and development, the enforcement of support to basic research, the globalization and localization of science and technology, the promotion of communal research and development between industries and universities, the support for the technological development of small and medium-sized industries, the favorable treatment given to scientific technologists and the promotion of science and technology in general.

476. The Republic of Korea will fulfil its responsibility to promote internationalization of its activities in science and technology and enhance its role to develop international science and technology by way of international cooperation with international organizations such as EU, UNDP and OECD.

9. International science and technology exchanges

477. Science and technology exchanges with advanced nations is mentioned in paragraph 625 of the initial report. Since 1980, Korea has signed 45 science and technology related agreements with industrialized countries.

478. Since the 1950s, the United Nations has played a major role in providing aid to Korea. In the fourth cycle of the UNDP projects (1987-1991), 30 projects, including technological development, training of manpower and social welfare, were completed with 12.85 million dollars provided by the UNDP and 540,000 dollars by Korea. In the fifth cycle (1992-1995), the projects centred on the fields of environment, manpower development and women's participation in society. In carrying out these projects, UNDP's financial support was decreased to 4.92 million dollars, while Korea's share was, remarkably, raised to

9 million dollars, in accordance with its outstanding economic and social development. Also, Korea has participated in the various specialist groups such as the OECD Committee for Scientific and Technical Policy meetings, since it became its member in September 1994. Also since becoming a regular member nation of the OECD in December 1996, Korea has actively cooperated with other nations by hosting the OECD Seoul Conference on International Technology Cooperation in October 1997 and by leading an OECD task (research on the national innovation system in developing countries). Korea will take part in the internationalization of industrial research, intellectual copyright and technological programmes.

479. Korea will actively participate in regional cooperation projects, taking into account that many developing countries may want to learn from Korea's experiences in the process of economic and social development. Korea will also promote cooperation in science and technology with developing countries by dispatching specialists to international organizations under the auspices of United Nations bodies such as ESCAP.

480. Korea is now contributing to the achievement of prosperity in the Asian-Pacific region by designating and promoting joint projects to increase information and human resource exchanges at the APEC Working Group Conference of Industrial Science and Technology. Korea hosted the second APEC Science and Technology Conference of Ministers in November 1996 in Seoul to discuss the development and exchange of creative researchers in science and technology and proposed to host the APEC Youth Science Festival in order to nourish the creativity of our youth. APEC supported Korea's proposal.

481. Since the early 1960s, the Korean Government has cooperated with other developing countries in the fields of science and technology by offering training programmes for personnel from developing countries and subsequently sending experts to those countries. Korea believes it is useful to promote cooperation with developing countries because there are many skills and experiences that Korea can share.

482. From 1963 to 1990, Korea invited 3,809 trainees from other developing countries and sent 436 experts to those countries at a cost of 14.1 billion won. In 1991 the Korean Government established KOICA (Korea International Cooperation Agency) as an affiliate of the Ministry of Foreign Affairs and Trade, which is in charge of the Government's overseas technology aids projects. Every year, Korea invites 1,000 trainees from other developing countries and dispatches 80 specialists to those countries.

483. Also, since 1994, the Korean Government has operated the Post-Doctoral Aid Project for scientists from developing countries. Scientists from developing countries who have doctorates are provided with the opportunity to gain experience in high technology at universities and research institutes.

Table 81: Post-Doctoral Aid Project

	1994	*1995*	*1996*	*1997*	*Total*
Number of countries	8	8	8	15	39
Number of participants	12	24	25	33	94

484. Korea is interested in international joint research to strengthen its research capabilities. From 1985 through 1997, a total of 906 projects at a cost of 53.7 billion won were conducted with advanced nations like Japan, the Russian Federation, the United States and Germany. Since the early 1990s, Korea has established 9 research institutes in the United Kingdom, Germany, the Russian Federation and China to carry out efficient joint research and runs 19 institutes including contact offices and cooperation centres.

485. In 1997, a total of 149 projects were conducted at a cost of 8.3 billion won, including 27 projects were conducted with the United States in such fields as information technology, precision chemistry and nuclear power; 31 projects with Japan in such fields as information technology, machine materials and precision chemistry; 9 projects with Germany in such fields as lasers, precision engineering and new materials; 3 projects with France in such fields as new materials, aerospace and genetic engineering; 11 projects with the Russian Federation in such fields as new materials, precision chemistry and mechanics; 16 projects with China in such fields as environment, information and electronics; and 2 projects with APEC in such fields as oceanography.

486. Various forms of cooperation are being carried out through seminars, workshops and symposia held by international bodies like the Colombo Plan, the United Nations Educational, Scientific and Cultural Organization, the Economic and Social Commission for Asia and the Pacific, the Food and Agriculture Organization of the United Nations, the Industrial Development Organization, the United Nations International Monetary Fund and the International Labour Organization. In order to strengthen cooperation with international organizations, the Korean Government donates 3.5 million dollars a year to UNDP and 700,000 dollars a year to ESCAP through the Ministry of Foreign Affairs and Trade.